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ABSTRACT

This report (the Bundy Report) proposes a plan for the decentralization of the New York City School System which would allow for greater community involvement in school policy-making and for educational innovation and administrative flexibility. To achieve these goals the report recommends that the school system be reorganized into a federation of 30 to 60 largely autonomous community school districts and a central educational agency. The local districts, which would serve between 12,000 and 40,000 pupils, would be responsible for all "regular" education within their boundaries and would be governed by local boards composed of district residents chosen by parents and the mayor. The boards would receive annual allocations of operating funds to be used at their discretion, provided that state educational standards and union contract terms were met. The local boards would determine their own personnel policies but would preserve all tenure rights of existing personnel. The Central Agency, composed of either three full-time mayoral appointees or a board of members nominated by the community school districts, would have authority over special educational functions and citywide policies, would provide specified centralized services, and would be responsible for advancing racial integration. The State Education Commissioner would retain his responsibility for maintaining educational standards and assuring that integration is being fostered and for overseeing the transition to the community school system, which would take effect in 1969. A draft of the Legislative Act to create the community school system is included. (MH)

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**A COMMUNITY SCHOOL SYSTEM
FOR NEW YORK CITY**

MAYOR'S ADVISORY PANEL ON DECENTRALIZATION OF THE NEW YORK CITY SCHOOLS

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November 9, 1967

Honorable John V. Lindsay
Mayor of New York City
City Hall, New York

Dear Mayor Lindsay:

We enclose herewith the report of your Panel on the Decentralization of the New York City Schools. Back in May, pursuant to an act of the 1967 Legislature, you asked us to study the question and provide you with a plan for decentralization, and this report contains our conclusions and recommendations. We find that major change is needed.

The first premise of this report is that the test of a school is what it does for the children in it. Decentralization is not attractive to us merely as an end in itself; if we believed that a tightly centralized school system could work well in New York today, we would favor it. Nor is decentralization to be judged, in our view, primarily by what it does or does not do for the state of mind, still less the "power," of various interested parties. We have met men and women in every interested group whose spoken or unspoken center of concern was with their own power — teacher power, parent power, supervisory power, community power, Board power. We believe in the instrumental value of all these forms of power — but in the final value of none. We think each of them has to be judged, in the end, by what it does for the education of public school pupils.

Neglect of this principle, in our judgment, is responsible for much of what is wrong in the New York City schools today. We find that the school system is heavily encumbered with constraints and limitations which are the result of efforts by one group to assert a negative and self-serving power against someone else. Historically these efforts have had ample justification, each in its time. To fend off the spoils system, to protect teachers from autocratic superiors, to ensure professional standards, or for dozens of other reasons, interest groups have naturally fought for protective rules. But as they operate today these constraints bid fair to strangle the system in its own checks and balances, so that New Yorkers will find themselves, in the next decade as in the last, paying more and more for less and less effective public education.

We underline our conviction that this is not a case in which it is appropriate to level charges of individual guilt, or to assess responsibility more against one group than another. We have been deeply impressed by the honesty, the intelligence, and the essential goodwill of leaders of all elements. We heard angry denunciations of militant parent and community groups, but when we met with them we found them reasonable, open, and usually clear in their understanding that it is the education of the child, not the power of the community as such, that is the true end of their efforts. We have met with union leaders and we find them very different from the villains portrayed by some self-righteous observers; they are determined to advance the interests of their members, but they are also well aware that the school system of New York cannot support those members by proper salaries if it loses the confidence of the people. We find the union's commitment to more effective education — and to closer community involvement — to be real and strong. We have also heard much criticism of the central staff and the Board of Education which we are unable to accept. We do believe, as our report demonstrates,

that there is deep and legitimate objection to bureaucratic inflexibility or inertia, and to administrative caution or impotence. But we encountered a large number of men and women of outstanding ability and dedication at every supervisory level in the system, and we wholly dissociate ourselves from those who would make villains of "The Board," or "Livingston Street," or any single element in the system.

And we have been reminded again, by the quality of these individuals, and by their loyalty to their several traditions, that the New York public schools have a splendid history of achievement. In the nature of things we had to give special attention to current difficulties and inadequacies, but we are well aware that there are dozens of schools, hundreds of supervisors, thousands of teachers, and tens of thousands of students whose outstandingly successful work shows not only what the system has been at its best, but what it still can be. In designing a revised process of governance to meet a grave crisis, we have had it steadily in mind that New York retains great assets from a great past.

* * * * *

Yet the crisis is grave indeed. A system already grown rigid in its negative powers has been called upon to meet the unexpected challenge of an extraordinary immigration of impoverished citizens whose children have special needs for the very best our schools can offer, and the system has not effectively met this challenge. The new needs of large numbers of Negro and Puerto Rican students from low-income families may be the most dramatic, but they are certainly not the only group which now needs better schools. No plan of government can be successful if it aims only at the particular needs of particular groups. It is all the children in all the schools who must be our concern. Half the school population still consists of white pupils, and in addition there are many from middle-class families from other social and ethnic backgrounds. Along with the poorer Negro and Puerto Rican students, these other pupils also suffer from the weaknesses in the present system of public school government. Our report presents a number of statistics which suggest the magnitude of the current shortfall — but the truth is that no one needs further proof. Everyone who is close to the New York City schools knows that the need for massive improvement is now desperately urgent. So many children are not learning what they need to know to take part in modern society that there is a growing loss of confidence in our public schools.

The premise upon which we were appointed was that effective decentralization could help. Our studies have solidly confirmed the validity of this premise. We recognize that the Board of Education has already taken steps in this direction, but we are convinced that far more must be done and done quickly. A properly designed and executed reorganization can liberate new constructive energies and rebuild confidence in all parts of our educational system, among parents, teachers, administrators, and supervisors — and then in the minds of the children in the schools. Decentralization is no substitute for other deeply needed changes — and in particular it is no substitute for the massive infusion of funds which the school system now needs — for new buildings, for better teaching, and for a higher level of performance in almost every field. But we see more than symbolic importance in the fact that the statute which calls for this report had its origin in an appeal for an increase in state funds for New York schools. We do not think it an exaggeration to say that if the city and the state can join in this reform of the government of the public schools, the way may be open for a creative revolution in urban public education.

* * * * *

The essence of the plan which we propose is that the present centralized system should be reformed by a clear grant of new authority to Community School Boards, partly chosen by parents and partly chosen by the Mayor and a central educational agency. We believe these School Boards should have the power to appoint and remove Community Superintendents. Together the Community Board and the Community Superintendent should have a new and wider authority over curriculum, budget, personnel, and educational policy in the schools of the district. While we believe in decentralization, we are opposed to fragmentation. We seek to keep the advantages without the disadvantages of the size and variety of the city's school system. We would envision a quite new role for the city's central education

agency. Not only should it have important powers of service, support, and review, but it should also have citywide responsibilities for specialized education. Above all it should be free to carry out overall policy and planning functions which at present it cannot handle effectively because of the press of daily concerns with the details of operating schools for a million children.

We have designed this plan of decentralization so that Community Boards may have as much authority as is consistent with citywide necessities. We have sought to be responsive to the deep and legitimate desire of many communities in the city for a more direct role in the education of their children. We have already said that we are not much taken with talk of "power." But we are deeply concerned with the need for participation — for responsibility — for shared authority and concern. We believe that, with exceptions where leadership has been exceptional, the schools of New York have been dangerously separated from many of New York's communities. We do not think that the pupils in such schools can be aroused and led upward — or even kept in good order — if their parents are not offered the reality of responsible participation. It is of no use to say that others in the past have accepted a distant discipline and learned well from accepting unfamiliar authority. The proposition is open to doubt, on its own merits, and it simply does not apply at all to the state of mind in the urban ghetto today. The liberating force for the urban education of the Negro and the Puerto Rican must be a new respect, a new engagement, a new responsibility.

New York is not all ghetto, and the ghetto student has not been our only concern. The demography of the public school system is changing daily and dramatically; no district today is just like another, and almost none is the same for two years running. In Appendix C we offer a series of charts which show both the variety and the changeability of the public school population, district by district, since 1958. The charts carry two lessons: the first is that the nonwhite student is a rapidly growing factor in our schools — both in and out of the so-called ghettos — and the second is that even in conditions of rapid change there is, and will continue to be, a wide diversity in most of our districts.

Because of the extraordinary importance of respecting the rights of all, in this unprecedented demographic complexity, we have devised a number of safeguards in preparing this plan. Some have to do with methods for choosing Community School Boards that will not permit a monopoly of power to any one group. Others have to do with reserving powers — to the central agency and to the State Commissioner — which can prevent racism in any district, or under any name. Still others are aimed at preserving flexibility, so that the new system can adapt itself to future changes. All of these safeguards are designed to help in the hard work of giving full rights to A without abridging the rights of B.

And there is one other element of flexibility which deserves special mention here. While we find strong pressure for decentralization from a clear majority of the city's communities, we also find some who are content with things as they are. We have therefore recommended that the proposed Community School Boards should have the right to use just as many services from the central agency as they choose. In effect, under our plan, districts which do not want to decentralize will be free not to do so.

* * * * *

These proposals will not bring instant educational improvement to New York. Many of the cruel inadequacies of the present system must continue for years, even if we are dead right, and everyone agrees, and action is taken at once. Our own proposed timetable requires nearly two years for the initial establishment of the new Community Boards; consequent changes will take longer; and we must repeat that reorganization without new resources will be empty. Indeed, the reorganization itself will cost money, and we believe it will be money well spent. The troubles of our public schools have been many years in the making, and they will be many years in the mending. One other warning is in order: the educational system of New York cannot remake the city — or any part of it — alone. We have found many teachers and supervisors who properly resist the suggestion that somehow everything in the slums is their fault. Their feelings are understandable, and we think it self-evident that education is only one instrument of progress. We are not called on to settle hard priorities between jobs, hous-

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ing, and schools; still less are we invited to report on the requirement that citizens desist from both hatred and lassitude.

Yet having made this necessary comment, we cannot but come back to what the schools can do. Most of us are professional educators; all of us believe passionately that the schools can not only repair their academic failures but reach out to a much wider and stronger role in meeting the needs of the city's children. We also believe that when children need this kind of help — as so many do — the school system must respond.

Before concluding, we wish to thank all who have helped us. Our particular thanks must go to the Superintendent of Schools and his top staff, who have been both sympathetic and helpful. We are also indebted to hundreds of others, to your own staff, and to the members of the Board of Education. We owe an unusual obligation to our own staff, led by Mario Fantini — they have combined knowledge, concern, and energy in round-the-clock work.

Finally, we would express our sense of comradeship with Alfred Giardino. He has been a member of the Panel from the beginning, and his knowledge and sympathy have been indispensable to our work. From the beginning it has been understood that he was with us as a representative of the Board of Education and that the Board would wish to make its own comments after our report is submitted. As his separate statement shows, the Board shares our purposes but has doubts about some of our recommendations.

We ourselves remain confident of the main lines of change we propose, but we also know that the problem is one of great complexity, and we make no claim to have explored every element of it. Our proposals can be strengthened both by constructive criticism on their way to enactment and by careful management on their way to application. It is right that they should become the subject of lively debate.

But what we must warn against, with all the force we can, is the kind of debate which might seek to prevent change by obfuscation. New York cannot afford to approach the government of its schools as a problem in the protection of vested interests, or as an exercise in point-scoring. If, as we deeply believe, more effective decentralization is now indispensable to any progress at all, then the focus of discussion should be on the basic principles of this report. The people of New York together can make their schools a new force for good if they will. But none of them can succeed alone. The reconnection of the concerned — to the problem and to one another — is the heart of our purpose in presenting these proposals. We ask that those who read them resist the temptations of fear and respond to the challenge of hope.

Sincerely,

Francis Keppel

Antonia Pantoja

Mitchell Sviridoff

Bennetta B. Washington

McGeorge Bundy, Chairman

Separate Statement by Alfred Giardino, President of the Board of Education

It was my privilege to serve as a member of the Panel. When the invitation was extended by the Mayor to Mr. Garrison, then President of the Board of Education, all parties agreed and understood that the President would reflect the views of the full Board.

Our Board of Education is committed to the principle of local involvement and decentralization of function in order to foster parent and community participation and greater flexibility of school operations. Its record of action in this sphere, within the confining constraints of the present law, is referred to in the Panel's report. And more can be done. We favor progress in these areas.

On the basis of the Board's experience, we cannot agree with a number of the specific recommendations proposed by a majority of the Panel to effectuate our common goals. Serious problems must arise in recasting, in one quick stroke, the largest educational system in the world. We must be reasonably sure that a plan will be successful and do not feel sufficient assurance in the plan submitted. Rather than a rigidly timed and mandated set of procedures, we prefer a more deliberative process of movement and evaluation. Moreover, we believe there are constructive legislative alternatives that can achieve many of the same goals without as many dangers.

The Board of Education intends to issue a fuller statement of its views shortly.

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PREFACE

This Panel was created by Mayor John V. Lindsay under an Act of the 1967 Legislature (Chapter 484 of the Session Laws of 1967). The Act directs the Mayor to

prepare a comprehensive study and report and formulate a plan for the creation and redevelopment of educational policy and administrative units within the city school district of the City of New York with adequate authority to foster greater community initiative and participation in the development of education policy for the public schools . . . and to achieve greater flexibility in the administration of such schools,

and to submit the report and plan, together with legislative recommendations, to the Governor, the Board of Regents, and the Legislature, not later than December 1, 1967. The Mayor announced the creation and composition of this Advisory Panel on April 30, 1967.

He gave the Panel its formal charge at a meeting on May 11. Thereafter the Panel appointed a staff director, who assembled a staff of full-time assistants and *ad hoc* and special consultants. The City of New York appropriated \$50,000 for the study.

The Panel made extensive efforts to elicit information and ideas. Through the press and through formal invitations to civic, community, and professional organizations, it solicited plans for decentral-

ization. Through a field staff it sought information and searched out attitudes throughout the city.

In addition to a series of meetings of its own throughout the summer and fall, the Panel conducted formal discussions with hundreds of representatives of communities throughout the city, including Local School Board members and members of the Education Committee of the Council Against Poverty; teachers and supervisory personnel; deans and presidents of public and private colleges and universities in the city, and civic and political leaders. It held informal discussions with many others. Through questionnaires and interviews, the views of teachers and supervisors were solicited. A feasibility study on school boundaries was commissioned on contract. To the hundreds of men and women who generously shared their experience, insights, and time with us, the Panel and its staff are deeply grateful.

While we cannot possibly thank all those who helped us, particular thanks go to Howard I. Kalodner, our legal counsel, and to Marilyn Gittell, a consultant on school decision-making.

For help in specialized and technical areas we would also like to thank Howard Mantel, Thomas Minter, Donald Rappaport, Isaiah Robinson, David Rogers, John Simon, and Walter Thabit.

For research, field, and general assistance our thanks go to Federico Aquino, Elsa Branden, Maria Canino, Marlene Charnizon, Victor Chen, George Dalley, Theodora Dyer, Betty Felton, Wendy Gismot, Kathy G. Idman, Richard Greenspan, Bill Hall, Ruth Hornberger, Deborah Jackson, Margaret Melkonian, Joseph Michalak, Richard Minnerly, Larry Palmer, Douglas Pugh, Carel Schilthuis, Robert Schwartz, Lee Seldes, Beatrice Steinberg, Rosalie Stutz, Joseph Tarulli, and Corrine Willing.

We would like to express our gratitude as well to the many men and women at the Board of Edu-

cation, the State Education Department, the Office of Education Liaison (Human Resources Administration), the Bureau of the Budget, and the Ford Foundation, who freely made their services available to us.

Finally, we are deeply grateful for the efficiency and patience of our overworked secretaries, Evelyn Hahn, Susan Burstein, Gerry Fitzgerald, Linda Knoepfle, Terry Pogera, Helen Seebach, Carol Suen, and, especially, Carol Shwedel, secretary to the Panel's staff.

M.D.F.

SUMMARY OF RECOMMENDATIONS

In order to . . .

- increase community awareness and participation in the development of educational policy closely related to the diverse needs and aspirations of the city's population,
- open new channels and incentives to educational innovation and excellence,
- achieve greater flexibility in the administration of the schools,
- afford the children, parents, teachers, other educators, and the city at large a single school system that combines the advantages of big-city education with the opportunities of the finest small-city and suburban educational systems, and
- strengthen the individual school as an urban institution that enhances a sense of community and encourages close coordination and cooperation with other governmental and private efforts to advance the well-being of children and all others,
- all with the central purpose of advancing the educational achievement and opportunities of the children in the public schools of New York City,

the Mayor's Advisory Panel on Decentralization of the New York City schools recommends:*

1. The New York City public schools should be reorganized into a Community School System,

consisting of a federation of largely autonomous school districts and a central education agency. (Section 2)

2. From thirty to no more than sixty Community School Districts should be created, ranging in size from about 12,000 to 40,000 pupils — large enough to offer a full range of educational services and yet small enough to promote administrative flexibility and proximity to community needs and diversity. (Section 3)

3. The Community School Districts should have authority for all regular elementary and secondary education within their boundaries and responsibility for adhering to State education standards. (Section 6)

4. A central education agency, together with a Superintendent of Schools and his staff, should have operating responsibility for special educational functions and citywide educational policies. It should also provide certain centralized services to the Community School Districts and others on the districts' request. (Section 8)

5. The State Commissioner of Education and the city's central educational agency shall retain their responsibilities for the maintenance of educational standards in all public schools in the city. (Sections 8 and 19)

6. The Community School Districts should be governed by boards of education selected in part

III

* Numbers in parentheses refer to sections of the draft legislation, Part VI, that begins on page 77. Detailed discussion of each recommendation is found in Part II, beginning on page 15.

the primary agent for the growth and development of children. Not every parent comprehends his child's needs according to objective criteria of child development, but every parent has a powerful influence on his child, for better or for worse.

An effective school system, therefore, must be so organized as to give full play to the role of the parent. At the same time, if a dynamic partnership is to work between the professionals and the parents on behalf of the learner's growth and development, parents and community must reinforce the school's efforts. While protecting the children by making certain that the schools respond to their needs, they must also support that measure of discipline in children without which a school simply cannot function. A report developed by Dr. Kenneth Clark stated:

Even when the [school's] job is well done, the parents are partners in the enterprise. Each parent shares the responsibility with the school for the achievement of his child. So, too, the community as a whole is accountable. What happens to the children in deprived schools is a matter of concern for the total city.⁵⁶

Finally, community participation may affect educational innovation. A recent major comparative research study of six large-city school districts, including New York, found a direct relation between the degree of community participation and school systems' adaptation to change. The study, supported by the U.S. Office of Education and administered through the City University of New York, stated:

... Innovation can only be achieved as a result of strong community participation, with the power to compel both new programs and expenditure increases necessary to finance them.⁵⁷

The result of isolation of public education from community participation, according to the study, is: *a static, internalized . . . system which has been unable to respond to vastly changing needs and demands of large-city populations.⁵⁸*

Channels for Concern — The crisis in New York City has borne out the general warning of Dr. James B. Conant about the distance between communities and highly centralized urban school systems:

... I have tried to point up the necessity to match neighborhood needs and school services. Decisions made in the central office are remote from the many diverse neighborhoods which constitute the city and may or may not make sense in a particular school. In any event this procedure tends to isolate the community from what goes on in the school.⁵⁹

Many middle-income citizens who are dissatisfied with their children's education yet without the power to influence their schools have, as noted, left the public school system or the city. The reaction of low-income citizens, who cannot afford the option of abandoning the public schools, was once resignation and apathy. Now it is beginning to take other forms — petition, protest, demonstrations, and even demands for secession of ghetto schools from the regular system. Militancy is often a course of last resort, after persistent effort through more legitimate and conventional channels has failed.

Vociferous demonstrations of concern with the schools sometimes attract individuals and groups whose principal motives are other than the improvement of schools. But it would be wrong and dangerous to assume that most outspoken parents and community leaders are not primarily interested in the goal of quality education. The inquiries and observations of the Panel and its staff make it clear that many of them have studied the schools carefully and informed themselves of the issues in urban public education. This is true of a growing number of parents who are poor and uneducated.

As one school principal remarked to the Panel:

They may not be sophisticated in language, but they are sophisticated in educational concepts, and they have the virtue of asking "simplistic" questions that cut through the underbrush and require us, as professionals, to explain why the schools are not delivering to their children.⁶⁰

The channels through which grievances may be redressed and improvements made in the New York City school system are limited. The authorities closest at hand — teachers and principals — are constrained in what they can do. The more distant authority at the headquarters of the school system is hard to reach and too far removed from the local scene to respond on any continuing basis. The intermediate instrumentalities, at the district level — which ideally should have the advantages

by parents and in part by the Mayor from lists of candidates maintained by the central education agency; and membership on the boards should be open to parents and nonparent residents of a District. (Section 5)

7. The central education agency should consist of one or the other of the following governing bodies:

— A commission of three full-time members appointed by the Mayor, or

— A Board of Education that includes a majority of members nominated by the Community School Districts. The Mayor should select these members from a list submitted by an assembly of chairmen of Community School Boards. The others should be chosen by the Mayor from nominations by a screening panel somewhat broader than the current panel. (Section 7)

8. Community School Districts should receive a total annual allocation of operating funds, determined by an objective and equitable formula, which they should be permitted to use with the widest possible discretion within educational standards and goals and union contract obligations. (Section 15)

9. Community School Districts should have broad personnel powers, including the hiring of a community superintendent on a contract basis. (Sections 6a and 9)

10. All existing tenure rights of teachers and supervisory personnel should be preserved as the reorganized system goes into effect. Thereafter tenure of new personnel employed in a particular District should be awarded by the District. (Section 11)

11. The process of qualification for appointment and promotion in the system should be so revised that Community School Districts will be free to

hire teachers and other professional staff from the widest possible sources so long as hiring is competitive and applicants meet state qualifications. (Section 11)

12. Community School Boards should establish procedures and channels for the closest possible consultation with parents, community residents, teachers, and supervisory personnel at the individual-school level and with associations of parents, teachers, and supervisors.

13. The central education agency should have authority and responsibility for advancing racial integration by all practicable means. (Section 8v) The State Commissioner of Education should have authority, himself or through delegation to the central education agency under guidelines, to overrule measures that support segregation or other practices inimical to an open society. (Section 19)

14. The Community School System should go into effect for the school year beginning September, 1969, assuming passage of legislation in the 1968 Legislature. (Section 5)

15. The main responsibility for supervising and monitoring the transition from the existing system to the Community School System should rest with the State Commissioner of Education. The principal planning and operational functions should be assigned to a Temporary Commission on Transition that should work closely with the current Board of Education, the Superintendent of Schools, and his staff. (Section 20)

16. The transition period should include extensive programs of discussion and orientation on operations and responsibilities under the Community School System and on educational goals generally. School Board members should be afforded opportunities for training and provided with technical assistance on budgeting, curriculum, and other school functions.

of proximity and responsiveness — are inadequate as channels of accountability because the local school board has only advisory powers and the district superintendent is limited in his authority and basically oriented toward and dependent on central headquarters. It is clear, then, that throughout the city parents of New York's public school children lack the sense of engagement in their schools that is taken for granted in thousands of town and city school districts throughout the city. The suburban parent who brandishes a copy of Dr. Conant's *The American High School Today* at a school board meeting and asks why his son's curriculum lacks x, y, z, and the ghetto parent who clutches a record of substandard reading scores and asks why, are more alike than different; they are both the public ingredient in public education.

Sharing Responsibility — In one sense then, it is a truism that the parents of New York's schools need closer connection with the system. It is their right by all the traditions of American public education. But in our view there is more to it than that. An effective redistribution of responsibility in the public school system is essential not simply — or even primarily — because of the craving of parents or the traditions of American education. The Panel believes that it is necessary for the purpose of strengthening the educational process itself.

Public education in a great metropolis has to contend with many distracting and even destructive forces. Many of the children face special disabilities of poverty and deprivation, lack of motivation, inadequate stability, and overfrequent moves from one school to another. These difficulties are intensified for children who face the special obstacles and hazards of life in the ghetto.

There is every reason for urban school systems to attempt direct attack upon such problems, as New York has done in a galaxy of undertakings—

ranging from the Higher Horizons experiment to programs under Title I of the Elementary and Secondary Education Act. Such programs directly attempt to compensate for difficulties in the home and neighborhood environment. While the record shows that these programs have often had only limited results, they should not be rejected or their value discounted. We strongly believe in such special efforts for more effective education.

But we also believe that in the absence of a new pattern of responsibility such efforts will continue to be too little and too late. Today it is the school system itself that is in most immediate need of renewal and rehabilitation. Precisely because special problems do exist in teaching the children of the modern cities, the parents should be more closely engaged in the process. We see this sharing of responsibility as part of a fundamental redirection of the process of education, designed to make education more relevant to the student, to bring it closer to his feelings and concerns, and to connect all members of the school community with one another.

The Panel therefore sees no contradiction between professional efforts for more effective education and organizational efforts to place a full share of responsibility on parents. The plan which is set forth in the next part of this report is designed precisely to make both possible.

And we emphasize again that a successful reorganization would only set the stage for the longer, harder job of producing quality education. Just as the achievement of civil rights under law has not produced equality, the opening of the school system to effective parent and professional action will not substitute for the productive combination of financial resources, instructional strategy, professional skills, and community participation that is vital to effective public education.

I. PROBLEMS AND PRINCIPLES

THE GOALS OF CHANGE

The New York City school system, which once ranked at the summit of American public education, is caught in a spiral of decline.

The true measure of a structure of formal education is its effect on individual children. By this standard, the system of public education in New York City is failing, because vast numbers, if not the majority of the pupils, are not learning adequately.*

The city as a whole is paying a heavy price for the decline. Here and there, in an individual school, pupils receive excellent preparation. But even in prosperous neighborhoods, parents' confidence in the public school system is diminishing. Their doubts are based not so much on such quantitative measures as achievement scores as on less measurable deficiencies—ranging from a lack of innovative content and teaching methods to a uniformity in program offerings that fails to respond to the varied capacities, talents, and needs of individual pupils. Day in and day out, and at impassioned annual budget hearings, come complaints about facilities and materials, varying from triple shifts in some schools and the lack of library, lunchroom, and gymnasium facilities in others, to delays in obtaining modern textbooks.

But the most evident and tragic failures are occurring in those parts of the city that need educa-

tion most desperately—the low-income neighborhoods.

The city's poor, as a rule, have little choice but the public schools for their children's education. Others can choose, and many do. New York City is not only losing a large share of its younger middle-income (predominantly white) families to suburbs,¹ but a large portion of the children of those remaining are not attending public schools. From 1957 to 1966, the enrollment of "others" (the designation by the Board of Education for those who are not Negroes or Puerto Ricans) decreased 15 per cent.² However, the number of white school-age children (aged five to nineteen) living in New York City remained roughly the same—about 1,193,000 in 1965.³ In Queens and Richmond, the fast-growing predominantly middle-class boroughs, the number of students enrolling in parochial and other private schools between 1955 and 1966 increased at a much greater rate than public school enrollment.⁴ (The changing racial and ethnic composition of the public schools is shown graphically in Appendix C.)

No school system is free of shortcomings, but in New York the malaise of parents is heightened by their increasing inability to obtain redress or response to their concerns. Teachers and administrators, too, are caught in a system that has grown so

* See pp. 4, 5.

II. A FRAMEWORK FOR CHANGE

PURPOSE

The children of the city of New York need a public school system that will liberate the talents, energies and interests of parents, students, teachers, and others to make common cause toward the goal of educational excellence.

The system should reflect the rich blend of unity and diversity that once made the city a gateway to opportunity for the millions who came to its streets.

It should insist on the value of education for individual growth and provide young people entering a complex technological society with the skills they need to achieve economic opportunity and personal dignity.

It should restore the capacity of both lay and professional leadership to lead.

It should encourage initiative, in each school and locality as well as in the center.

In every school and in every neighborhood it should seek to make the school a true community institution, in which all can be concerned and all can take pride.

It should encourage each school to develop a deeper understanding of the needs of the varied communities it is serving.

It should be responsive to the needs and sensitive to the desires of groups that are in a minority in a particular locality.

It should permit the flowering of a variety of curricula, school arrangements, and instructional strategies.

It should encourage constructive competition among schools and among localities — competition in effective educational ideas and practices, not in social or economic status.

It should distribute financial resources objectively and equitably, taking into account the higher costs of achieving educational quality in neighborhoods with economic and environmental handicaps.

It should guarantee a free flow of information, so that parents and the community at large are informed about the activities and performance of the school system and so that no part is isolated from the whole.

It should insure all pupils and all localities the benefits of the numerous and variegated facilities and services that major urban school systems can offer — ranging from special high schools to costly research, technical services, and logistic support.

It should couple the advantages of urban bigness with the intimacy, flexibility, and accessibility associated with innovative suburban school systems.

It should insure that progressive citywide policies, such as greater racial integration in the public schools, are advanced as far as practicable.

complex and stiff as to overwhelm its human and social purpose.

Whether the reaction is quiet frustration or vocal protest, the result throughout the city is disillusionment with an institution that should be offering hope and promise. No parent, no teacher, no school administrator, no citizen, no business or industry should rest easy while this erosion continues.

The causes of the decline are as diverse and complex as the school system itself and the city that created it. But one critical fact is that the bulk and complexity of the system have gravely weakened the ability to act of all concerned—teachers, parents, supervisors, the Board of Education, and local school boards.

The result is that these parties, all of whom have legitimate concerns of their own as well as the common concern for the welfare and opportunity of the 1.1 million public-school pupils,⁵ are heavily occupied—sometimes preoccupied—in preserving a partial and largely negative power against a faceless system and nameless dangers. And efforts to attack the causes of decline are overshadowed by the energy consumed in assessing the blame.

The first step toward renewing the system is to provide a means of reconnecting the parties at interest so they can work in concert. After that will come the even more difficult task of renewing the New York City public school system so that it can play its part in the larger effort toward social renewal to meet drastically changed times and conditions.

Dr. Bernard E. Donovan, the Superintendent of Schools, said in June that "... fundamentally the public schools have not changed to meet this rapidly changing society." He continued:

*This is particularly true of public school systems in large cities. I say this with full knowledge of the many, many innovative devices, procedures and concepts which have been introduced into the public schools of large cities by forward-looking and dedicated staff members. But I repeat, the general pattern of the public school has not changed to meet a vastly changing society.*⁶

While the task has hardly been done elsewhere in urban America, the challenge now is for New York to return to the habit of being first in public education.

MANDATE TO THE PANEL

This Panel was asked to suggest ways to increase the "awareness and participation" of one of the parties at interest—the community. In the exact words of the State Legislature's Act of last spring that led to the creation of the Panel:

*Increased community awareness and participation in the educational process is essential to the furtherance of educational innovation and excellence in the public school system within the city of New York.*⁷

The Legislature also stressed the need for the creation of "educational policy units" that would afford members of the community an opportunity to take a more active and meaningful role in the development of educational policy related to the diverse needs and aspirations of the community.⁸

Finally, the Panel was also asked for recommendations designed "to achieve greater flexibility in the administration"⁹ of the schools; that is, to increase decision-making powers of teachers and administrators throughout the system.

The immediate purpose of the legislation that led to the formation of this Panel was a plan to give the city's schools more state financial aid (by computing annual aid under statewide formulas on the basis of the city's five boroughs rather than on a citywide basis). We regard it as significant that the Legislature appended to a fiscal measure a mandate for greater community participation and initiative and for greater administrative flexibility in the schools. The Legislature is concerned with the failure of continued increases in appropriation of funds to make a decisive difference in the downward trend of the New York City school system.*

The Panel was instructed, then, to report on ways and means of decentralization. The premise of the legislation and of the Mayor's charge to the Panel was that an effective program of decentralization would help the school system. We have reviewed this premise at every step of our study, and we find it sound.

As we have come to see it, the fundamental purpose of a plan of decentralization must be to liberate the positive energies of all concerned. Parents, teachers, supervisors, and district adminis-

* See p. 4.

It should contain the seeds of self-renewal, so that the system does not again evolve into a web of negatives which immobilizes educators and citizens and defeats the human purpose of public education.

We know that these are hard targets, and that to reach them will take a long time and great efforts. But they are worth stating plainly because they provide a fair measure of the system as it is today, and a fair challenge for the future.

BASIC STRUCTURE

To open the way for New York City's citizens and educators to remake public education in these directions, the Panel recommends the creation of a Community School System, to consist of a federation of largely autonomous school districts and a central education agency.

The districts, called Community School Districts, should be responsible for most of the educational functions which are locally based, including elementary and secondary schools. They should be so constituted as to reflect a sense of community, insure responsiveness to the educational needs of their residents, and promote coordination in the planning and operation of health, recreation, and other human resource programs in the city.

The Community School Districts should be governed by boards of residents chosen jointly by the Mayor (on the advice of the central education agency), and by parents of children attending district schools. The boards should, as the April 1967 Act declares, have "adequate authority to foster greater community initiative and participation in the development of educational policy"¹ for their schools. "Adequate authority" means responsibility for budgets and for appointments, constrained only by state law, the availability of funds from the citywide level, adherence to educational standards, and respect for obligations under union contracts.

The central agency of the Community School System should consist either of a high-level, salaried three-man Commission on Education, or of a reconstituted central education agency composed, like the present Board, of outstanding citizens, but

selected somewhat differently. Whether a full-time Commission or a lay board, the central agency should have operating responsibility for citywide educational activities, and it should provide services, incentives, and support for community boards and their superintendents. The central agency should also be responsible to the Board of Regents and the State Commissioner of Education for the maintenance of educational standards throughout the Community School System.

In the process of transition from the present system to the new one, the State Commissioner of Education should act in the role of referee.

ELEMENTS OF A COMMUNITY SCHOOL SYSTEM

COMMUNITY SCHOOL DISTRICTS

In addition to the central education agency, the Community School System should consist of community districts that enjoy both the benefits of association within the country's largest urban school district and the advantages of community proximity and participation common to smaller cities and suburbs.

Number and Boundaries

The thirty present districts contain an average of thirty schools and 36,000 pupils, which is more than all but two of the State's 853 other school districts.²

The considerations customarily cited for the size of a school district are enrollment, fiscal resources, staff specialization, comprehensiveness of educational offerings, population density, topography, and, increasingly since 1954, racial composition. No one has yet presented an unchallenged ideal size for a school district. For the last several decades the trend nationally has been to increase the size of districts through consolidation, because extremely small districts have been considered educationally deficient and economically inefficient.³ California recently adopted 10,000 as a recommended minimum size,⁴ and a recent comprehensive study of the Washington, D. C., public schools recommended the creation of eight decentralized sub-systems of approximately equal size and about 20,000 pupils each.⁵

complex and stiff as to overwhelm its human and social purpose.

Whether the reaction is quiet frustration or vocal protest, the result throughout the city is disillusionment with an institution that should be offering hope and promise. No parent, no teacher, no school administrator, no citizen, no business or industry should rest easy while this erosion continues.

The causes of the decline are as diverse and complex as the school system itself and the city that created it. But one critical fact is that the bulk and complexity of the system have gravely weakened the ability to act of all concerned—teachers, parents, supervisors, the Board of Education, and local school boards.

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As we have come to see it, the fundamental purpose of a plan of decentralization must be to liberate the positive energies of all concerned. Parents, teachers, supervisors, and district adminis-

* See p. 4.

On the basis of a pilot redistricting study which the Panel commissioned, and in accordance with the weight of the advice of many professionals and of present local school board members, we suggest that the number of Community School Districts should be no fewer than the present thirty, and no more than sixty. We think the initial redistricting might provide forty to fifty districts, but the number cannot be settled finally until there has been a more thorough study. We think the new districts should contain from 12,000 to 40,000 pupils, which would be comparable to Berkeley, California, and Norwalk, Connecticut, with about 16,000; Providence, Rhode Island, with about 27,000; or Evansville, Indiana, with 33,000.⁶ These limits would assure an educationally viable school district yet avoid fragmentation. We suggest quite wide limits because the natural communities of the city are very different in size.

Population changes, the desire for districts to join forces, or other new conditions may justify shifts in boundary lines or consolidation of districts or parts thereof. At any time, three years after the initial boundaries go into effect, Community School Districts should have the right to petition the central education agency for such changes. The central agency itself, on findings of gross overcrowding or underutilization of school buildings or in pursuit of such goals as integration or congruence between school districts and other city functions, should be empowered to change district boundaries. As in other matters, the State Commissioner of Education should have appellate jurisdiction in such cases.

Some of the present thirty districts are now drawn almost ideally, while a few others sprawl irrationally. The number and shape of new districts should be determined with great care in order to insure boundaries that are both educationally sensible and socially sound. The determination should take account of such factors as:

- sense of community;
- efficient utilization of school buildings;
- school feeder patterns;
- the number of pupils who would have to transfer from schools they presently attend;

— diversity in composition of student population.

In particular, since public education is a major component of social progress, the Community School Districts should be so drawn as to encourage and facilitate greater coordination with other important governmental efforts serving human needs in the city.

The well-being of children is affected by health services, and the physical planning of housing and local institutions is of concern to their parents. Future zoning, site selection, and school construction, for example, ought to be coordinated with community planning and poverty programs.

And if the distance between the city's schools and its communities is bridged, so that strong participation develops, the schools themselves, as true local institutions, should gain influence over the shape and sense of community in the various parts of the city.

Because the necessary study of district boundaries will be complex and time-consuming, we believe that the Mayor should promptly ask the City Planning Commission, in cooperation with the Board of Education, to begin a study of districting needs in anticipation of establishment of the Community School System. A Temporary Commission on Transition, proposed below,* should submit a plan for district boundaries to the State Commissioner of Education by November, 1968, assuming passage of legislation by the 1968 Legislature, so that the process of selecting district boards of education can begin.

Composition and Selection of Governing Body

Community School Districts should be governed by Community School Boards.

The process by which the Community School Boards are selected is crucial to the channels of responsibility between the school system and parents and the community at large. It also is the principal channel for community participation in school affairs. Other means are of very great importance: for example, parent and community advisory efforts at the level of the individual school, and the employment of residents in paraprofessional and other jobs in schools. But statutory power to participate in truly representative

* See page 40 ff.

trators all need more constructive authority. We are further convinced that increasing the role of one party (and we are emphatic that real participation implies a real share of authority and responsibility) does not imply robbing other parties. There is an imbalance of power in the system, but the sum of the powers today is a compound of negatives. Time after time the Panel and its staff were told that some other center of responsibility—a principal, or a district superintendent, or the United Federation of Teachers, or the Board of Education, or the Board of Examiners, or parents themselves—had the capacity or authority to improve some aspect of the system but somehow would not use it. And time after time the Panel heard from all these other parties of the frustrations and limitations that now constrict them.

This negative power was originally intended to prevent real evils—political interference in the schools, graft or waste, inefficiency, impingement on professional prerogatives, disruptive behavior. This kind of power sometimes (not always) prevents abuses—but it does not make better things happen. We believe, rather, in opening up the system so that all concerned can have more authority and a greater chance to work for better education.

In short, the Panel proposes a liberating decentralization. At the same time it is important to emphasize that the best possible reorganization of the New York City schools can be no more than an enabling act. It will not do the job by itself. Reorganization will not give New York the additional funds it needs to improve schools in all parts of the city. It will not wipe out the generations of deprivation with which hundreds of thousands of children enter the schools. It will not meet the great deficits in health and welfare services that beset many families. It will certainly not wipe out the poverty and physical squalor to which too many children return when they leave school every afternoon. It will not wipe out the shortage of qualified, imaginative, and sensitive teachers and supervisors. It will not automatically provide insights into the uncharted terrain of the basic mechanisms of learning and teaching.

But reorganization should help to make these developments possible in time (assuming, too, that

the financial resources are on hand) by reversing the spiral of fear, suspicion, recrimination, and tension: by strengthening the ability of all participants to turn their talents and energies toward making things happen, instead of devoting their lives to holding one another in check. In short, the best that the proposals of this Panel could accomplish would be to set in motion a gradually growing process of mutual confidence, in which all energies can be liberated toward an end that has been obscured in the clamor and confusion—the liberation of the children. Such a beginning would not be all, but it would be a lot.

The pressure for change currently being exerted on the school system is neither new nor confined to the Legislature. The New York City school system has not suffered from lack of scrutiny, clamorous as well as quiet. Strikes and boycotts are channels of expression, along with public hearings, scholarly studies, and reports of experts. The continuing and expanding interest of parents, community organizations, the press and government agencies, as well as the teachers and other professionals, is one of the encouraging factors in a generally bleak landscape. Despite the reputed apathy of New Yorkers toward their schools, there is an intense and widespread desire to renew the system; if demands for change alone were sufficient to improve it, we would not now be enmeshed in an educational crisis.

THE CONDITION OF EDUCATION IN NEW YORK CITY

The Panel was not charged with re-examining the performance of the New York City schools. The shelves are full of thorough studies of the system's strengths and weaknesses,* and the written and face-to-face advice and testimony the Panel received from hundreds of parents, other citizens, teachers, and other professionals gave witness to the decline of educational effectiveness. Although, as noted, many are quick to point the finger of blame at someone else, few are proud of the overall performance of the schools.

Some of the gross indicators of shortcomings in the performance of the school system stand in contrast to the attempts made to improve the system:

* See Appendix A.

EFFORTS

In the last decade funds for the New York City public schools have more than doubled—from \$457 million in 1956-57 to \$1.168 billion in 1966-67¹⁰—while enrollment increased one-fifth.¹¹ The per-pupil expenditure—some \$1,000¹²—stands above such other large cities as Chicago, Detroit, St. Louis, and Philadelphia and many suburban school districts.¹³ Median elementary class size has been reduced by 8 per cent,¹⁴ and the classroom teaching staff has increased by 37.6 per cent.¹⁵

Nor has the system been without experimentation and innovation. The Higher Horizons (earlier Demonstration Guidance) program, though no longer operating, was an important attempt to compensate for the deprivation of pupils in low-income areas. The school system has introduced teacher aides and a volunteer program to free teachers of nonprofessional duties in some schools. After-school study centers and all-day neighborhood schools have been established. Experiments in team teaching, work-study programs, computerized instruction, and other methods are under way. In an effort to improve the organization and effectiveness of secondary education and particularly the vocational high schools, the Board of Education is considering the conversion of all high schools to comprehensive high schools. It has given some support to the More Effective Schools program put forward by the teachers' union. The Board has also sought to decentralize the administration of the system.*

THE RECORD

The following information and data relate to pupil performance and various shortcomings in the New York City public schools. The Panel recognizes that one of the most difficult and controversial questions in educational analysis is that of the causal relations between the schools and pupil performance. Furthermore we are convinced that responsibility for what the student achieves is shared jointly by parents, the community at large, and the school system, to say nothing of other agencies that influence the urban environment. Our purpose in noting the educational shortfall in New York City, therefore, is to indicate that all parties must

recognize the gravity of the education crisis. And while the school system is not solely responsible for academic failures, it certainly is the principal agency to which New Yorkers must look for a reversal of the trends.

— In a 1965 statewide pupil evaluation conducted by the State Education Department, 55 per cent of the students found to be below levels the State Testing Service defined as 'minimum competence' were New York City public school students, although the city's enrollment comprises only 35 per cent of the state's total. The tests covered reading and arithmetic in the elementary and ninth grades.¹⁶

— In November, shortly before this report was scheduled for publication, the Board of Education announced citywide reading and arithmetic scores for the 1966-67 school year. The data indicated that one out of three pupils in the city's schools was a year or more behind youngsters in the nation as a whole in reading and arithmetic. Except in the ninth grade, where New York City scores were 0.3 per cent better than the national norms, the gaps ranged from 1.0 per cent behind the national level (eighth grade reading) to 17.0 per cent behind (sixth grade mathematics).¹⁷ The per cent of New York students behind national norms has increased in all but one grade (the eighth) since May, 1966. (See Table I, Appendix D)

— Another measure of the fact that performance is declining comes from statewide tests. The proportion of sixth grade pupils in the city scoring below state-defined minimum competence increased from 31 to 45 per cent between 1965 and 1966, compared to the statewide increase from 20 to 23 per cent.¹⁸

— These data, however, do not indicate the degree of retardation relative to other children across the country, with whom New York City children ultimately must compete for higher education and jobs. Data provided to the Panel by the Board of Education indicate, for example, that 25.6 per cent of the city's fifth grade pupils are one year and eight months behind national performance norms in reading, as against 16.0 per cent for the country as a whole. The proportion of reading-

* See pp. 9, 10 and Appendix A.

retarded pupils increases to 42 per cent for seventh graders, and changes to 36 per cent (as against 30 per cent nationally) among eighth grade pupils. Table II compares the distribution of reading scores for selected grades with national norms. Table III gives a citywide breakdown for grades four through nine. (Appendix D)

— Of the 64,117 students admitted to the city's high schools and scheduled to graduate in the class of 1967, only 43,864 graduated. Of those graduating in 1967, 21,364 received academic diplomas; in other words, only one third of the students admitted to high schools in New York City receive the minimum preparation for college entrance.¹⁹ Nationally over 43 per cent of the students admitted to high school go to college.²⁰

— Of the ten nonspecialized and predominantly (over 85 per cent) white high schools in New York City, six graduate less than 43 per cent of their admissions with academic diplomas. (See Table IV, Appendix D)

— A borough breakdown on high school graduates reveals that Queens had 44 per cent and Staten Island 34 per cent academic diplomas as compared to original admissions. Manhattan, the Bronx, and Brooklyn graduated 25, 30, and 35 per cent respectively, including graduates of the specialized academic high schools.²¹

— The last specialized high school was established in the city in 1938 (the Bronx High School of Science). None exists in Richmond or Queens, the city's fastest growing boroughs.

— In 1966-67, 89,227 pupils were in facilities classified by the Board of Education as overcrowded; at the same time 99,872 were in schools listed as underutilized.²²

— Some 12,000 students, according to a report in April by fourteen civic groups, were suspended during the last school year. They included mentally retarded or emotionally disturbed children — many of whom were then left to their own devices. The report also said that many students are suspended without being given a fair hearing, on charges ranging from failure to do homework to fighting with other children.²³

— Thirty per cent of the school system's teachers

are 'permanent substitutes,' who do not have standard licenses.²⁴

— Since 1955, following a Public Education Association finding that 78.2 per cent of the faculty in mainly white New York City schools were tenured, compared to 50.3 per cent in predominantly Negro and Puerto Rican schools, the Board of Education has succeeded in raising the proportion of tenured teachers in the latter schools to about that of the former.²⁵ However in terms of years of faculty experience (including tenured and regular substitute teachers), the special service schools, those populated with pupils with the most severe learning problems, have fewer experienced teachers than the city as a whole²⁶ — 57 per cent with three or more years of experience, compared to 70 per cent for all other schools.

— Last year, there were 500 classes to which no teacher was assigned on a permanent basis, and teacher absences accounted for an additional 1,500 uncovered classes daily, or the equivalent of some 30 schools or one average school district.²⁷

RESPONSIBILITY

THE RELATION OF THE PUBLIC TO PUBLIC INSTITUTIONS

Nothing is more difficult — or more important — in our modern urban society than the re-establishment of clearly understood and effective lines of responsibility. The presumed advantage of large institutions and systems, public and private, is that they serve more people more efficiently and economically, but in the process many have become ends in themselves and fortresses of impersonality. In institutions directly responsible for serving human needs, the consequences of overweening size and sheltered bureaucracy can be profoundly destructive.

The responsibility of public officials to the public is fundamental in a democratic society. Officials are required to account publicly for their past actions. The public is assumed to have the right to act against officials with whose performance it is dissatisfied. The customary channel for such action is the vote, and even appointed officials should be responsible to some elected official so that atten-

tion is paid to the public's concerns with their performance. And large, complex public systems, even if ultimately subject to the judgment of the polling place, should provide other channels to and from the public, in order to render an account of their activities and to sense the needs and concerns of the communities they serve.

The developing crisis of impotence and voicelessness was eloquently described recently by J. Irwin Miller, a leading American businessman who is also a former president of the National Council of Churches:

In the Thirties you had the poor or the disadvantaged merely wanting welfare. You get a new voice today which rejects the welfare state unless you have a say in the part that affects you. I think that a great deal of the unrest that you find in business is a feeling on the part of people that they want a say. You have the students who want a say in the university. You have the poor who want a say in their programs. All of us feel maybe we want a say in foreign policy, which is a little more difficult. You have developing nations who want a say in what happens to them. This is a new kind of thing. . . .

I think we're suffering some of the pangs of bigness, and growth, and impersonality, but you can't avoid being big. So many of the undertakings you want to accomplish in this society can't be accomplished except by very large groups. Even the New Left wants the things made by the assembly line or the education at a large university. You've got to solve the problem of how you take on a big activity, but make bigness your servant, not your master.²⁸

RESPONSIBILITY IN EDUCATION

The concept of local control of education is at the heart of the American public school system. Laymen determine the goals of public education and the policies calculated to achieve them. Professional educators are the chosen instrument for implementing policies determined by laymen. They should also advise on goals and policies, but the public's right to evaluate and to hold publicly employed officials responsible is fundamental.

When the educational enterprise is going smoothly, the public does not often exercise its right to evaluate. It is after the system begins to break down and the public finds itself inadequately served that the issue comes to the fore. Often the

right of the layman to an account for professional performance, while given lip service, is in effect nullified by challenges to his competence to inquire into what are considered basically professional affairs. But education is public business as well as professional business. Public education in the United States was never intended to be a professional monopoly. Through many just struggles, educators have achieved professional status and protections against political and sectarian domination. But the scales must not tip toward a technocracy in which the public cannot exercise its right to scrutinize the professional process in education. As Superintendent Donovan has said:

The staff of large city public school systems can no longer feel that the educational programs in the schools must be left solely to the professional educators who are accountable to nobody but themselves. The children belong to the parents. The parents pay taxes to support the schools. The parents have a right to know what is going on in the schools.²⁹

This concept of responsibility can easily be misunderstood, as the Panel learned in some of its discussions with both citizens and teachers. It cannot imply the surrender of professional standards and integrity; it must not imply the loss of initiative, and it should not subject the professional to harassment or capricious or arbitrary domination. In a properly balanced distribution of responsibilities, there should be no contradiction whatever between the professional obligations of the teachers and the ultimate responsibility of public officials. On the contrary, that latter obligation is itself a part of the professional duty of the teacher or supervisor in a system of public education.

Nor does the concept confer upon elective authority the right to suppose that merely to state a requirement creates a binding obligation upon the teacher. There is such a thing as asking too much, and it is a truism that in a complex system no one element can be responsible for everything that happens. The occasional parent who supposes that all that is needed is to give the teacher orders is as wrong as the occasional teacher who supposes that no one has a right to give him any guidance at all.

PARTIES AT INTEREST

Although nearly everyone in New York City has a stake in the fate of the school system, the chief parties are the pupils, their parents, members of local school boards, and community and citywide organizations; the teachers and their union; the Board of Education and the Superintendent of Schools; and the supervisory and administrative staff, including thirty district superintendents. For purposes of this discussion, they will be considered at the levels at which they operate — the central level; the district level; and the individual-school, or community, level.

These are the elements of public education within the city, but it is well to keep in mind that education is a state function. The school operating budget consists of 31.8 per cent in state financial aid.³⁰ Also, the school district of the City of New York operates under the State Education Law, policies and rules of the State Board of Regents, and under regulations established by the State Commissioner of Education.* The standards established by these state bodies (to which the Community School Districts the Panel is proposing also would be subject) cover such instructional factors as compulsory attendance, length of school sessions, courses of study and subjects of instruction at various levels, high school teaching loads, students' examinations and credentials, schooling for physically and mentally handicapped children, libraries, adult education, and teacher salaries and pensions and tenure. They also regulate such non-instructional aspects as school buildings and grounds, civil defense, transportation, and health services.

CENTRAL LEVEL

The Board of Education

The official policy-making body for the school system is the Board of Education. The Board appoints the school system's chief education officer, the Superintendent of Schools, and it is responsible for long-range planning as well as policy and operations.

Although the Board of Education is the chief whipping boy for complaints about the school sys-

tem, it should be recalled that the present body is the result of a reform act by the State Legislature in 1961.³¹ Following school construction scandals in the late 1950s, the Legislature terminated the existing Board of Education, reconstituted the Board, and instituted a procedure to balance the influence of the Mayor in appointments.

The members of the Board of Education are able, dedicated citizens who devote an extraordinary amount of time to their duties without pay. However, the pressures of the present system constantly divert them from policy-making and long-range planning. They must mediate issues that have not been resolved in the field because the local school boards of the system's thirty districts have no legal decision-making authority. The Board's power to influence policy and administration through the Superintendent of Schools is diminished by the fact that he, in turn, is faced with operating a \$1.1 billion,³² 90,000-staff³³ enterprise with insufficient delegation of decision-making authority.

The Board itself is sensitive to the liabilities of overcentralization, not the least of which is the difficulty of being responsive from a distance to the diverse needs and aspirations of the varied communities that comprise New York City. It acknowledges the need for decentralizing the school system and has taken steps in that direction. Its most recent policy statement on the subject, on April 19, 1967, declared:

All members of our Board are committed to the principle of decentralization of operations. In a city as large and varied as New York, we believe it is essential to have as much flexibility and authority at the local level as is consistent with our need for centralized standards.³⁴

It has taken several important steps to decentralize the school system by administrative action.

Professional Staff

The professional branch of the central level consists of the Superintendent of Schools and twenty-seven senior supervisors in charge of a vast range of management and educational functions. This group has considerable power and authority, but its ability to apply them affirmatively to help attune the schools to change and to meet new needs

* A detailed outline of the laws, rules, and regulations is given in Appendix B.

is impaired by the complex, highly centralized structure of the system. The sheer volume of line duties—the day-to-day operations of the massive system—makes it hard to clear the desk for change. Rules, regulations, and multiple channels require so much cross-checking at headquarters that little or no time is left for exposure to schools in their community setting; it is difficult enough for administrators to keep in touch with one another at headquarters. Thus, even when new programs and practices are promulgated, they tend to be designed uniformly for schools throughout the city; failure to adapt changes to local needs and capabilities often prevents changes from taking root widely, which leads in turn to skepticism toward change. The lack of adequate contact with the local scene also impedes the spread of innovative practices that are first developed on a pilot basis in a few schools.

A number of the central staff and other supervisors are aware of the need for more flexibility and decentralized authority. Headquarters personnel told the Panel that they had urged district superintendents to assume more decision-making authority, and a number of district superintendents themselves indicated to the Panel that they wanted significantly more authority and are willing to experiment with enlarged community control of education. In a questionnaire survey the Panel conducted among the city's school principals, the great majority of the 276 responding³⁵ said they needed additional authority and freedom of action—particularly in the selection and deployment of their staff and in the discretionary use of modest amounts of school funds—to be of maximum effectiveness.

As we shall note in detail later, the successive steps toward decentralization that have been taken in the New York City public schools have not been fundamentally effective because they add up largely to administrative decentralization while the center continues to exert the strong gravitational pull in decision-making authority. As the phenomenon has been described by John W. Polley, a former Teachers College professor who is now an official of the State Education Department:

When authority is decentralized, the person granted local power remains responsible to the same group of officials that delegated the authority. At the top of this hierarchy usually is an elected board or assembly to whom all the officials are responsible. In large urban organizations such boards, however, are too remote from the local area to serve as either an effective check or an efficient means of communication. Because local officials are responsible to higher authority, rather than to those they serve, their clients have no direct means of influencing policy or action; even more important, perhaps, the official loses the freedom of action which true responsibility would confer on him.

What now exists . . . in most large cities is authority without responsibility. The wise administrator exercises such authority carefully since it is always subject to checks by his superiors on whose approval depends much of his peace of mind as well as his chances for promotion. Top administrators, of course, bear responsibility to boards of education for the manner in which various employees under their direction perform assigned functions. The entire process involves a two-way flow of action: authority from the top down; responsibility in reverse direction. The net result is that the local school official is delegated authority without being able to take direct responsibility for his actions. Authority without responsibility can only result . . . in a bureaucracy unable to move without consulting superior officers.

Effective decentralization requires that responsibility commensurate with delegated authority be exercised at the level at which decisions are made and action taken. Accomplishing this objective in urban school systems will require organizational patterns that permit direct and immediate interaction between school personnel and people at the local level.³⁶

DISTRICT LEVEL

Structure

The school system is divided into thirty administrative districts, each of which has an assistant superintendent of schools (called the district superintendent) and a lay school board.³⁷

The Local School Boards are appointed by the central Board of Education from nominations (three names for each vacancy) by local screening panels representing parent associations and community organizations.

The district superintendent is recommended by

the Superintendent of Schools and appointed by the Board of Education. Under the Board's latest (April, 1967) decentralization policy, amplified by guidelines published in October, district boards may recommend for district superintendent vacancies candidates who hold a superintendent's certificate. The nomination may come from a list of qualified candidates prepared by the Superintendent of Schools or may be a certified candidate proposed by the Board itself. The final recommendation is that of the Superintendent of Schools.

Phases of Decentralization

A 1961 Legislative Act empowered the Board of Education to "revitalize local boards."³⁸ The number of districts was reduced from fifty-four to twenty-five. The system of appointment of local board members was removed from the hands of borough presidents and placed with the central Board of Education. The Board was required to seek the advice of local screening panels (chosen by the presidents of parents associations in each district) in appointing local school board members, and therefore the local units now rested on a somewhat stronger community base. Nonetheless, the districts remained "largely paper organizations, with little administrative power."³⁹

A 1965 reorganization increased the number of districts to thirty-one,⁴⁰ and placed high schools as well as junior high and elementary schools under jurisdiction of district superintendents. Although it purported to promote greater emphasis on district policy-making, the plan left the critical areas of budgeting and personnel policy centralized. The local boards remained, under law, "advisory only."⁴¹

In April, 1967, the Board of Education issued a statement of policy to further facilitate decentralization in the districts.⁴² District superintendents were given control over a lump sum (from \$40,000 to \$60,000)⁴³ for minor maintenance and supplies for all the schools in their district, authority over the utilization of teaching and nonteaching positions, and a potentially greater degree of flexibility with curriculum innovations and experiment. The local boards for the first time were provided with office space but no professional or supporting serv-

ices. In October, the Board issued guidelines for stronger consultation with local school boards in its appointments of principals and district superintendents.⁴⁴

These steps have not given the local boards actual decision-making authority although district superintendents are now required to consult them on a variety of matters. The only formal channel of communication remains that between the local boards and the central Board of Education.

At the same time the Board reiterated a desire "to experiment with varying forms of decentralization and community involvement in several experimental districts of varying size," and asked the Superintendent of Schools to submit specific proposals for experimental districts as soon as possible.⁴⁵

In May, 1967, the Board approved a plan for the establishment of seven demonstration projects designed to "... improve the instructional programs for the children in the schools concerned by bringing the parents and community into a more meaningful participation with the schools."⁴⁶ Two have been activated in part: (a) an experiment in a single school, P.S. 129 in Brooklyn, in which planning, operation, and evaluation is to be undertaken jointly by parents and staff with assistance from a university (four or five more such individual-school experiments were envisioned); (b) creation of two multi-school units consisting of an intermediate school and its feeder primary schools, supervised by a board elected by the community and administered by a coordinator selected by the board in consultation with the Superintendent of Schools. Two communities were invited to submit such proposals; one, a community planning group around I.S. 201 in Harlem, has done so, while the other, around Joan of Arc Junior High School on Manhattan's West Side, has not yet. In the meantime, however, two other community proposals for experimental districts — in the Ocean Hill-Brownsville section of Brooklyn and the Two Bridges section of the Lower East Side — were approved by the Board of Education, along with the I.S. 201 proposal, in July.

In the summer following the appointment of the

Mayor's Panel, the Board established its own advisory committee on school decentralization, headed by Dr. John Niemeyer, president of the Bank Street College of Education.

Effectiveness

The New York City schools, it is clear, while more administratively decentralized in form in the last few years, are not effectively decentralized in practice. While local school boards provide a useful forum for discussing school site selection and other subjects, and sometimes exert decisive influence on less-than-routine matters, they lack effective decision-making power and they cannot hold anyone responsible—not the district administrator, nor the central authority—for the performance of the schools in their district. The responsibility which the central authority has delegated to the district superintendent is more than before, but his basic orientation is still upward to administrative superiors, not across to the level of the district school board and to the community it is designed to serve.

The energies of the 270 men and women who serve on the local school boards have been worn down by a school-system structure that prevents them from turning their judgment and their special knowledge of local needs into decisions that matter.

Assessing their own effectiveness, a representative committee of current Local School Board members, in a series of recommendations to the Panel, declared:

...much of the enthusiasm, dedication and potential of these boards for significant contributions to public education has been blunted by an unresponsive and resisting school bureaucracy, buttressed by archaic legalistic concepts as to the "advisory only" nature of local school boards.⁴⁷

Some school board members have resigned in frustration, and at the time of writing one board that resigned en masse last spring has not yet been replaced.

Martin Mayer, a former school board member of five years' service, has described the dead end to which many such men and women have come under the present structure:

... there was almost nothing I could do for the people who called me, and little of substance that could come out of our meetings. ... This giant empire is almost completely insulated from public control.⁴⁸

Leading civic organizations concerned with the schools believe the Board of Education's April 1967 decentralization policy still lacks essential elements of administrative decentralization or community participation.

The Public Education Association, in a statement generally approving the policy, said:

If it has one weakness, it is its lack of emphasis on the fullest possible participation of community groups working with the local school board and the district superintendent and his staff in a co-operative effort to improve education.

... The consultative role which you have set out for these boards in the selection of the district superintendent, in our judgment, is not enough to give them a sense of responsibility for school affairs in their district.⁴⁹

The United Parents Associations, which has for several years urged decentralization, said with reference to the latest phase:

We view decentralization as a means of providing greater authority and flexibility to the professional staff at the district level. Superintendents and principals who are closest to the problems should be permitted to get things done without constantly referring to higher headquarters.⁵⁰

The Women's City Club said that the force of local school board participation in personnel and budget matters still rested on "what are essentially subjective judgments." It continued:

[Local school boards cannot] enforce a claim to full participation on a district superintendent who is not really responsible to the local school boards. The personnel procedures should be extended to include the appointment of the district superintendent.⁵¹

In short, despite important steps since 1961 in reactivating and reconstituting local school boards and in improving their consultative role, they operate within the constraints of a law that prevents them from serving as effective organs of local participation and responsibility in educational policy.

THE SCHOOL AND COMMUNITY LEVEL

Teachers and their Union

There is a wealth of professional talent already in the school system. To call the staff of the New York City schools inadequate or mediocre would be false; such general charges do unfair damage to the city's effort to attract and retain good professionals. The school system is still rich in teachers who measure up to the city's tradition of greatness in public education. It is one of the tragedies of the present impasse that the talents of these professionals are not given full rein. It is also predictable that unless the system is reformed, the city will lose many of them.

The teacher is the professional agent closest to the child, but he is at the end of a long chain of decision-making. The minutiae and bureaucratic distractions that prevent him from concentrating fully on the enormously demanding art of teaching have had no more eloquent portrayal than in the pages of the novel, *Up the Down Staircase*.

Otherwise almost powerless to influence their professional environment, teachers have turned to their union for better conditions as well as higher pay. Union membership has increased tenfold since 1960.⁵² The union's success in its efforts for higher pay and better working conditions has been notable, and certainly nothing is more obviously necessary, in times of continuous nation-wide teacher shortage, than steady improvement in the pay and working conditions of New York's teachers. It is therefore unfortunate that there has been some tension between the union and some of the city's communities. But the root causes of the distance between them are the decline in pupil achievement and the lack of effective channels through which both could influence policies that would modernize the schools.

The union itself has made real efforts toward constructive change within the system, and these efforts should not be dismissed as trivial. One instance is the union's advocacy of the More Effective Schools program. Another is the union's cooperation in the planning of the Board of Education's experimental school districts.

While continuing its legitimate concern for the

welfare of its members, the United Federation of Teachers can play a substantially greater role in school improvements, if only the structure of the system can be changed to open the way to more effective participation by all parties. Since the union itself is decentralizing, it could collaborate with all decentralized local school boards, if they were given effective powers. Although a master contract covering all teachers in the city would still be negotiated centrally, union district chairmen and other officials could assist virtually autonomous local districts in experiments to realign the use of teaching staffs, offering, instead of classes of uniform size, a combination of large lecture classes and small seminar or tutorial arrangements. UFT officials and members could also aid in recruitment campaigns; teachers probably can best persuade others to teach in their schools. Teachers might use the new opportunities under local control to develop self-evaluation procedures.

Civic Organizations

New York City has long had the benefit of several voluntary organizations that are devoted to the improvement of the public school system. These groups have contributed through studies of the schools and through many proposals for change and innovation that have been adapted by the school system. The Public Education Association, for example, has made valuable studies of such issues as school integration, vocational high schools, and improved financing of the schools. In 1950 it initiated the Bronx Park Community Project, which was one of the earliest experiments in administrative decentralization and more direct citizen participation in school affairs on a neighborhood level. It also developed the School Volunteer Program, which has been incorporated by the Board of Education, and the all-day neighborhood schools.

The United Parents Associations and its hundreds of affiliates in individual schools have worked successfully for better teaching and learning conditions through textbook surveys and such efforts as the Self-Help project—dialogues among parents, teacher representatives, and principals.

The Citizens Committee for Children has pro-

vided technical assistance to local school boards and has made significant studies of such subjects as school suspensions and special services for deprived children.

The Women's City Club has rendered important service in its studies of local school boards and other matters of educational concern.

The NAACP, the Urban League, the Puerto Rican Forum, ASPIRA, and other organizations dedicated to minority-group rights also have participated in school affairs and helped alert officials and the public to the need for educational response to the diversity of the city's population, to say nothing of localized groups, too numerous to mention, which have struggled for educational improvements on an individual-school, neighborhood, or area basis.

Many of these agencies, and others more recently established, have urged that the school system be restructured to permit more constructive, cooperative contributions.

Parents and Community

Finally, there is the particular object of the Legislature's directive to devise plans for "a more active and meaningful role in the development of educational policy"⁵³ by parents and communities at large throughout the city.

In New York City, the parents are blocked from playing a fully effective role in the educational enterprise by the absence of ready channels of responsibility between the school system and the public. Their distance from the center of the education process in turn affects the school and neighborhood climate for learning. And that, finally, produces a deadlock in which neither the schools nor the parents acknowledge their full share of responsibility for the academic achievement of the children.

Participation and Climate — There is an intimate relation between the community climate and the ability of public education to function effectively.

Environment is a powerful influence not only on the skills a child brings to school, but also on his attitudes toward learning, the schools, and teachers. The child makes judgments of the school; he may regard it as a necessary evil, a waste of time,

or even as a confining, punitive, or terrifying institution. On the other hand, he may regard it as a means of meeting his needs and a congenial, interesting, even exciting, arena.

Within the environment, parents and neighbors shape the child's attitude. If peers and family regard the school as an alien, unresponsive, or ineffective institution in their midst the child will enter school in a mood of distrust, apprehension, or hostility. If, on the other hand, the community regards the school as an agency in which they have an investment, with which they can identify, which acknowledges a responsibility for pupil achievement — in short as their own — children will enter the school with positive expectations. How strongly positive expectations influence students' school success was emphasized by the data of the Coleman Study of the effects of schools on achievement: "Attitudes such as a sense of control of the environment, or a belief in the responsiveness of the environment, are extremely highly related to achievement," more so than variations in such school characteristics as facilities and curriculum:

*Minority pupils . . . have far less conviction than whites that they can affect their own environment and futures. When they do, however, their achievement is higher than that of whites who lack that conviction.*⁵⁴

For its part, the school may regard the child as a ready and able object for teaching or as a hopeless burden — indifferent, if not disruptive and hostile, to formal education.

The consequences of a negative community and school climate vary among different socioeconomic groups. In low-income neighborhoods, such an atmosphere contributes to parent and pupil alienation from the schools, academic failure, and strained school-community relations. In middle-class communities, children and their families are more likely to try to cope with or work within the school system in order not to jeopardize advancement to college. The reaction to a negative school climate in such cases may be delayed; it may come in the form of college dropouts, drug addiction or other deviant behavior, or indifference toward social justice.⁵⁵

American society emphasizes the family unit as

the primary agent for the growth and development of children. Not every parent comprehends his child's needs according to objective criteria of child development, but every parent has a powerful influence on his child, for better or for worse.

An effective school system, therefore, must be so organized as to give full play to the role of the parent. At the same time, if a dynamic partnership is to work between the professionals and the parents on behalf of the learner's growth and development, parents and community must reinforce the school's efforts. While protecting the children by making certain that the schools respond to their needs, they must also support that measure of discipline in children without which a school simply cannot function. A report developed by Dr. Kenneth Clark stated:

Even when the [school's] job is well done, the parents are partners in the enterprise. Each parent shares the responsibility with the school for the achievement of his child. So, too, the community as a whole is accountable. What happens to the children in deprived schools is a matter of concern for the total city.⁵⁶

Finally, community participation may affect educational innovation. A recent major comparative research study of six large-city school districts, including New York, found a direct relation between the degree of community participation and school systems' adaptation to change. The study, supported by the U.S. Office of Education and administered through the City University of New York, stated:

... Innovation can only be achieved as a result of strong community participation, with the power to compel both new programs and expenditure increases necessary to finance them.⁵⁷

The result of isolation of public education from community participation, according to the study, is: *a static, internalized . . . system which has been unable to respond to vastly changing needs and demands of large-city populations.⁵⁸*

Channels for Concern — The crisis in New York City has borne out the general warning of Dr. James B. Conant about the distance between communities and highly centralized urban school systems:

... I have tried to point up the necessity to match neighborhood needs and school services. Decisions made in the central office are remote from the many diverse neighborhoods which constitute the city and may or may not make sense in a particular school. In any event this procedure tends to isolate the community from what goes on in the school.⁵⁹

Many middle-income citizens who are dissatisfied with their children's education yet without the power to influence their schools have, as noted, left the public school system or the city. The reaction of low-income citizens, who cannot afford the option of abandoning the public schools, was once resignation and apathy. Now it is beginning to take other forms — petition, protest, demonstrations, and even demands for secession of ghetto schools from the regular system. Militancy is often a course of last resort, after persistent effort through more legitimate and conventional channels has failed.

Vociferous demonstrations of concern with the schools sometimes attract individuals and groups whose principal motives are other than the improvement of schools. But it would be wrong and dangerous to assume that most outspoken parents and community leaders are not primarily interested in the goal of quality education. The inquiries and observations of the Panel and its staff make it clear that many of them have studied the schools carefully and informed themselves of the issues in urban public education. This is true of a growing number of parents who are poor and uneducated.

As one school principal remarked to the Panel:

They may not be sophisticated in language, but they are sophisticated in educational concepts, and they have the virtue of asking "simplistic" questions that cut through the underbrush and require us, as professionals, to explain why the schools are not delivering to their children.⁶⁰

The channels through which grievances may be redressed and improvements made in the New York City school system are limited. The authorities closest at hand — teachers and principals — are constrained in what they can do. The more distant authority at the headquarters of the school system is hard to reach and too far removed from the local scene to respond on any continuing basis. The intermediate instrumentalities, at the district level — which ideally should have the advantages

of proximity and responsiveness — are inadequate as channels of accountability because the local school board has only advisory powers and the district superintendent is limited in his authority and basically oriented toward and dependent on central headquarters. It is clear, then, that throughout the city parents of New York's public school children lack the sense of engagement in their schools that is taken for granted in thousands of town and city school districts throughout the city. The suburban parent who brandishes a copy of Dr. Conant's *The American High School Today* at a school board meeting and asks why his son's curriculum lacks x, y, z, and the ghetto parent who clutches a record of substandard reading scores and asks why, are more alike than different; they are both the public ingredient in public education.

Sharing Responsibility — In one sense then, it is a truism that the parents of New York's schools need closer connection with the system. It is their right by all the traditions of American public education. But in our view there is more to it than that. An effective redistribution of responsibility in the public school system is essential not simply — or even primarily — because of the craving of parents or the traditions of American education. The Panel believes that it is necessary for the purpose of strengthening the educational process itself.

Public education in a great metropolis has to contend with many distracting and even destructive forces. Many of the children face special disabilities of poverty and deprivation, lack of motivation, inadequate stability, and overfrequent moves from one school to another. These difficulties are intensified for children who face the special obstacles and hazards of life in the ghetto.

There is every reason for urban school systems to attempt direct attack upon such problems, as New York has done in a galaxy of undertakings—

ranging from the Higher Horizons experiment to programs under Title I of the Elementary and Secondary Education Act. Such programs directly attempt to compensate for difficulties in the home and neighborhood environment. While the record shows that these programs have often had only limited results, they should not be rejected or their value discounted. We strongly believe in such special efforts for more effective education.

But we also believe that in the absence of a new pattern of responsibility such efforts will continue to be too little and too late. Today it is the school system itself that is in most immediate need of renewal and rehabilitation. Precisely because special problems do exist in teaching the children of the modern cities, the parents should be more closely engaged in the process. We see this sharing of responsibility as part of a fundamental redirection of the process of education, designed to make education more relevant to the student, to bring it closer to his feelings and concerns, and to connect all members of the school community with one another.

The Panel therefore sees no contradiction between professional efforts for more effective education and organizational efforts to place a full share of responsibility on parents. The plan which is set forth in the next part of this report is designed precisely to make both possible.

And we emphasize again that a successful reorganization would only set the stage for the longer, harder job of producing quality education. Just as the achievement of civil rights under law has not produced equality, the opening of the school system to effective parent and professional action will not substitute for the productive combination of financial resources, instructional strategy, professional skills, and community participation that is vital to effective public education.

II. A FRAMEWORK FOR CHANGE

PURPOSE

The children of the city of New York need a public school system that will liberate the talents, energies and interests of parents, students, teachers, and others to make common cause toward the goal of educational excellence.

The system should reflect the rich blend of unity and diversity that once made the city a gateway to opportunity for the millions who came to its streets.

It should insist on the value of education for individual growth and provide young people entering a complex technological society with the skills they need to achieve economic opportunity and personal dignity.

It should restore the capacity of both lay and professional leadership to lead.

It should encourage initiative, in each school and locality as well as in the center.

In every school and in every neighborhood it should seek to make the school a true community institution, in which all can be concerned and all can take pride.

It should encourage each school to develop a deeper understanding of the needs of the varied communities it is serving.

It should be responsive to the needs and sensitive to the desires of groups that are in a minority in a particular locality.

It should permit the flowering of a variety of curricula, school arrangements, and instructional strategies.

It should encourage constructive competition among schools and among localities — competition in effective educational ideas and practices, not in social or economic status.

It should distribute financial resources objectively and equitably, taking into account the higher costs of achieving educational quality in neighborhoods with economic and environmental handicaps.

It should guarantee a free flow of information, so that parents and the community at large are informed about the activities and performance of the school system and so that no part is isolated from the whole.

It should insure all pupils and all localities the benefits of the numerous and variegated facilities and services that major urban school systems can offer — ranging from special high schools to costly research, technical services, and logistic support.

It should couple the advantages of urban bigness with the intimacy, flexibility, and accessibility associated with innovative suburban school systems.

It should insure that progressive citywide policies, such as greater racial integration in the public schools, are advanced as far as practicable.

It should contain the seeds of self-renewal, so that the system does not again evolve into a web of negatives which immobilizes educators and citizens and defeats the human purpose of public education.

We know that these are hard targets, and that to reach them will take a long time and great efforts. But they are worth stating plainly because they provide a fair measure of the system as it is today, and a fair challenge for the future.

BASIC STRUCTURE

To open the way for New York City's citizens and educators to remake public education in these directions, the Panel recommends the creation of a Community School System, to consist of a federation of largely autonomous school districts and a central education agency.

The districts, called Community School Districts, should be responsible for most of the educational functions which are locally based, including elementary and secondary schools. They should be so constituted as to reflect a sense of community, insure responsiveness to the educational needs of their residents, and promote coordination in the planning and operation of health, recreation, and other human resource programs in the city.

The Community School Districts should be governed by boards of residents chosen jointly by the Mayor (on the advice of the central education agency), and by parents of children attending district schools. The boards should, as the April 1967 Act declares, have "adequate authority to foster greater community initiative and participation in the development of educational policy" for their schools. "Adequate authority" means responsibility for budgets and for appointments, constrained only by state law, the availability of funds from the citywide level, adherence to educational standards, and respect for obligations under union contracts.

The central agency of the Community School System should consist either of a high-level, salaried three-man Commission on Education, or of a reconstituted central education agency composed, like the present Board, of outstanding citizens, but

selected somewhat differently. Whether a full-time Commission or a lay board, the central agency should have operating responsibility for citywide educational activities, and it should provide services, incentives, and support for community boards and their superintendents. The central agency should also be responsible to the Board of Regents and the State Commissioner of Education for the maintenance of educational standards throughout the Community School System.

In the process of transition from the present system to the new one, the State Commissioner of Education should act in the role of referee.

ELEMENTS OF A COMMUNITY SCHOOL SYSTEM

COMMUNITY SCHOOL DISTRICTS

In addition to the central education agency, the Community School System should consist of community districts that enjoy both the benefits of association within the country's largest urban school district and the advantages of community proximity and participation common to smaller cities and suburbs.

Number and Boundaries

The thirty present districts contain an average of thirty schools and 36,000 pupils, which is more than all but two of the State's 853 other school districts.²

The considerations customarily cited for the size of a school district are enrollment, fiscal resources, staff specialization, comprehensiveness of educational offerings, population density, topography, and, increasingly since 1954, racial composition. No one has yet presented an unchallenged ideal size for a school district. For the last several decades the trend nationally has been to increase the size of districts through consolidation, because extremely small districts have been considered educationally deficient and economically inefficient.³ California recently adopted 10,000 as a recommended minimum size,⁴ and a recent comprehensive study of the Washington, D. C., public schools recommended the creation of eight decentralized sub-systems of approximately equal size and about 20,000 pupils each.⁵

On the basis of a pilot redistricting study which the Panel commissioned, and in accordance with the weight of the advice of many professionals and of present local school board members, we suggest that the number of Community School Districts should be no fewer than the present thirty, and no more than sixty. We think the initial redistricting might provide forty to fifty districts, but the number cannot be settled finally until there has been a more thorough study. We think the new districts should contain from 12,000 to 40,000 pupils, which would be comparable to Berkeley, California, and Norwalk, Connecticut, with about 16,000; Providence, Rhode Island, with about 27,000; or Evansville, Indiana, with 33,000.⁶ These limits would assure an educationally viable school district yet avoid fragmentation. We suggest quite wide limits because the natural communities of the city are very different in size.

Population changes, the desire for districts to join forces, or other new conditions may justify shifts in boundary lines or consolidation of districts or parts thereof. At any time, three years after the initial boundaries go into effect, Community School Districts should have the right to petition the central education agency for such changes. The central agency itself, on findings of gross overcrowding or underutilization of school buildings or in pursuit of such goals as integration or congruence between school districts and other city functions, should be empowered to change district boundaries. As in other matters, the State Commissioner of Education should have appellate jurisdiction in such cases.

Some of the present thirty districts are now drawn almost ideally, while a few others sprawl irrationally. The number and shape of new districts should be determined with great care in order to insure boundaries that are both educationally sensible and socially sound. The determination should take account of such factors as:

- sense of community;
- efficient utilization of school buildings;
- school feeder patterns;
- the number of pupils who would have to transfer from schools they presently attend;

— diversity in composition of student population.

In particular, since public education is a major component of social progress, the Community School Districts should be so drawn as to encourage and facilitate greater coordination with other important governmental efforts serving human needs in the city.

The well-being of children is affected by health services, and the physical planning of housing and local institutions is of concern to their parents. Future zoning, site selection, and school construction, for example, ought to be coordinated with community planning and poverty programs.

And if the distance between the city's schools and its communities is bridged, so that strong participation develops, the schools themselves, as true local institutions, should gain influence over the shape and sense of community in the various parts of the city.

Because the necessary study of district boundaries will be complex and time-consuming, we believe that the Mayor should promptly ask the City Planning Commission, in cooperation with the Board of Education, to begin a study of districting needs in anticipation of establishment of the Community School System. A Temporary Commission on Transition, proposed below,* should submit a plan for district boundaries to the State Commissioner of Education by November, 1968, assuming passage of legislation by the 1968 Legislature, so that the process of selecting district boards of education can begin.

Composition and Selection of Governing Body

Community School Districts should be governed by Community School Boards.

The process by which the Community School Boards are selected is crucial to the channels of responsibility between the school system and parents and the community at large. It also is the principal channel for community participation in school affairs. Other means are of very great importance: for example, parent and community advisory efforts at the level of the individual school, and the employment of residents in paraprofessional and other jobs in schools. But statutory power to participate in truly representative

* See page 40 ff.

boards is the decisive requirement for a genuinely effective role.

As the New York Times pointed out last year in another context, "truly representative" community educational bodies,

*... could be a potent force in marshalling community resources and support for the local school. Such a council could also serve as a watchdog agency to assure that the community's educational aspirations are being served ... there could evolve a significant new partnership — a joint sharing of responsibilities and perhaps occasional failures.*⁷

Community School Boards should be selected in time to take office not later than one year following passage of legislation establishing the Community School System.

Composition—Community School Boards should consist of eleven members chosen as follows: six selected by a panel elected by the parents of children who attend schools in the district; five selected by the Mayor from lists of qualified persons presented by the central education agency after consultation with parents and community organizations. Board members should be compensated for reasonable expenses, including lost wages, and should serve for terms of four years. Members initially selected should have terms of varying length, and it should be left to the Mayor and to the electing panel in each case to determine whether such staggered terms are assigned by lot or designated in the process of selection. (See Chart I, opposite)

Selection Procedures—The proposed selection procedure is not simple. It is designed to balance the desire for the greatest possible parental participation with the need for successive safeguards against excessive block voting, partisan politics, and other noneducational influences in school affairs. In our considered judgment the process here proposed is the one best calculated to produce effective representation both of parents and of the community as a whole. It may help to explain our thinking if we first discuss two proposals which we rejected—a proposal to continue the present method in which there is no process of election, and the opposite proposal for direct elections by all citizens in each district.

Reasons for Changing the Present System of Selection. The present Local School Boards are appointed by the central Board of Education from lists which come up from parent associations and community organizations in each district. This process has produced a large number of excellent appointments, but in our judgment selection on this basis is not compatible with the degree of authority and responsibility which we believe should belong to Community School Boards. We believe that these boards cannot have the necessary standing in their communities unless a majority of the board is the product of democratic choice. The present process simply does not meet that test.

Reasons for Rejecting Direct Elections. The Panel heard strong and earnest representations for and against direct elections by all residents of Community School Districts.

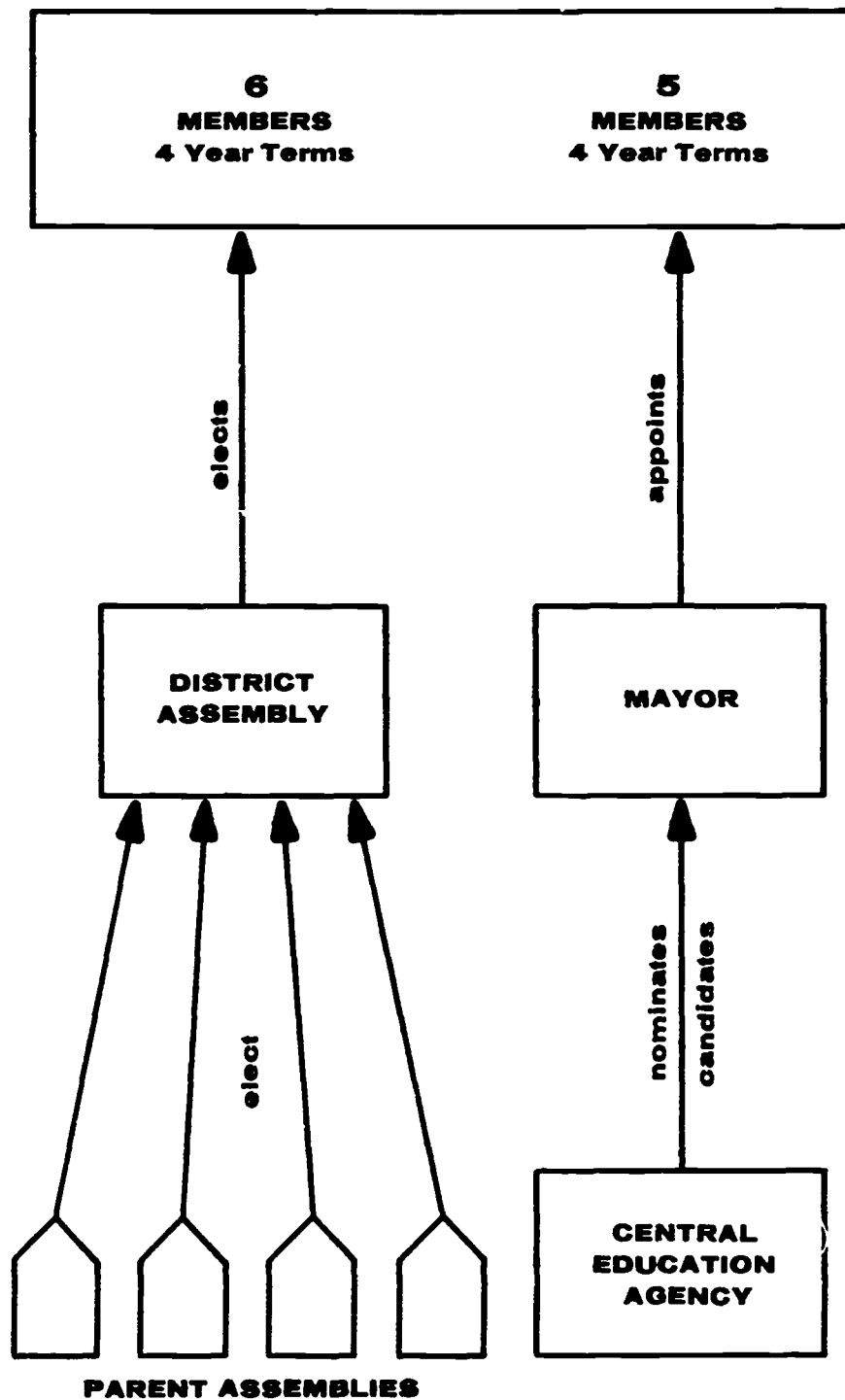
Most local school boards, including those in sixteen of the country's twenty-five largest cities, are elected by popular vote.⁸ However, there is no precedent for the election within a large city of Community School Boards with effective powers. The few studies that have analyzed school elections indicate that participation in voting for school boards is limited, particularly in ghetto communities.⁹ In addition, there is evidence that in large cities political machines often attempt to control school elections, even though they may be nonpartisan.¹⁰

Proponents of district-wide direct election under the proposed Community School System cited the total community stake in school matters; argued that if community boards were to have direct control of expenditures, anything less than direct elections would amount to taxation without representation, and drew analogies with elections of other public authorities.

The arguments given by opponents of direct elections included the danger of domination by political clubs; the expense to candidates of campaigning; the distastefulness of election campaigns to men and women who would otherwise be willing to serve on Community School Boards, and the possible domination of school affairs by majorities of residents who were not parents or by sectarian

Chart I

METHOD OF SELECTING COMMUNITY SCHOOL BOARDS



interests that might not hold the interests of public education uppermost.

The community-wide stake in school matters is a substantial reason for direct elections; the argument of taxation without representation is not, because the district would not have taxing powers and because voters would retain the right to express their sentiments on taxation for school purposes through the process of electing city and state officials.

The arguments against direct election seemed to the Panel to outweigh the advantages; we therefore propose a dual selection process, whereby some board members, representing parents, should be selected by a district assembly, and others by the Mayor.

Parent-Selected Members: The six parent-representative members of the community board should be selected by a district-wide panel, composed of representatives from each school in the district on a basis proportional to the pupil population of each school. The representatives of individual schools in turn should be chosen by an assembly of parents, including those who reside outside the district and whose children attend district schools. The school assemblies should be officially recognized in the by-laws of the Community School Boards and payment of dues should not be a requirement for voting.

As a means of encouraging maximum parent participation in the selection process, elections should be valid only if a prescribed proportion of eligible parents votes in elections of delegates to the district panel; the proportion should be determined by the central education agency, with the approval of the State Commissioner of Education, at a level sufficiently substantial to constitute an effective participatory process. If the number voting should fall below this proportion, the central education agency, following procedures approved by the Commissioner, should call for a new election or use alternative methods of obtaining parental representation.

The proposal that six of the eleven members of Community School Boards be parental representatives is the preferred alternative to another method

that was urged upon the Panel in order to assure a strong parent voice in school affairs: limitation of board membership to parents of public school children.

We expect that parent assemblies will usually elect some of their own number to the district panels, which in turn will elect mostly parents to the community boards. But education is so vital a community-wide concern that residents who are not parents should not be excluded from serving on district selection panels or boards. Community School Boards should not be deprived of the special skills, experience, interests, or insights of parents whose children have finished school, parents who do not yet have children in the schools, or other capable residents.

Some persons have expressed doubt to the Panel and its staff that substantial numbers of parents would participate in school board elections in communities with a record of limited parent participation in school affairs. We are more optimistic, principally because in helping to choose the new Community School Boards parents would be engaging in a decisive, official process of selecting representatives with effective powers to determine policies and operations that affect their schools. This is very different from participation in parent-association activity and other forms of participation in school affairs. Although such efforts have made valuable contributions to improvements in individual schools and the system as a whole — and should continue to do so — they have been only advisory.

We recognize, of course, that voting once a year is the least that a parent should do. Given the new latitude for mutual responsibility and participation that the Community School System should afford, parents should have a variety of opportunities the year round to contribute to the effective education in their schools. Some of the ways will be homely and traditional, yet still important, and others will be new. Rich precedent for the deep engagement of parents in school affairs is provided by the important and constructive work done by parent associations and parent-teacher associations in most New York City schools. We believe that the parental assemblies which we

recommend as agencies in the community board selection process are a natural further development of the principle of parental participation, and that these new responsibilities of parents should strengthen their participation in existing associations.

Finally, Community School Boards should reinforce and encourage continuing parent commitment by substantial, systematic programs of community education and training.

The parental role at the individual school level is discussed further on pages 30 and 31 and other issues in community participation are discussed in Part V.

Centrally Selected Members. While the need and rightness of a majority parental influence in selection of Community School Boards is clear to the Panel and to many long-time observers of and participants in the New York City public schools, there is a sharp division of opinion among those with whom we have talked about the site of responsibility for selecting the other five members.

The reasons for dividing responsibility for selection of the Community School Boards in the first place should be stated frankly.

First is our concern that the Community School System really be a federated city system, in which each district, no matter how different from its neighbors in patterns of instruction and in curricular priorities, remain part of the New York City school system as a whole, thus assuring its own children the advantages of large-city public education and, conversely, assuring that the city as a whole benefits from the particular strengths of each Community School District.

Second is a concern for minorities within a given Community School District, be they black or white, Puerto Rican or Negro, or some small group distinguished in another way. It is a real possibility, especially in the early years of the reorganized school system, that a parentally chosen district panel might wholly exclude representatives of minority groups in that district. While we do not hold with proportional representation on Community School Boards, we do believe that total exclusion of minority representation would

violate the spirit of community participation in the educational process.

That is the basis of our recommendation that five of the eleven members of community boards be chosen on some basis other than parental choice.

Who, then, should select them? It seems clear that it should be a body or individual with both a citywide purview and some prior responsibility for the city's schools—that is, the central education agency or the Mayor.

We have listened to forceful and sincere arguments for or against either one. There are strong historical reasons—and present feelings—for maintaining a wall between a city's highest political office and its public school system. This Panel respects those feelings, but, as we shall argue in detail in a later section* we believe there are now decisive, affirmative reasons, in the interests of more effective education in a modern urban setting, for assigning more responsibility to the Office of the Mayor.

At the same time we respect the arguments of those who think it would be unwise for the Mayor alone to have the responsibility for designating five members of each community board. Such a responsibility would open his office to political pressures and would impose upon him or his immediate staff a very heavy task of recruitment and assessment. We also believe that there are important advantages to be gained from engaging a reorganized central agency in this process of selection, although we agree with those who resist the assignment of sole responsibility for these appointments to that central agency.

After considering a number of other possibilities, it is our conclusion that the best arrangement is to divide the responsibilities between the Mayor and the central agency in the following manner: the central agency should have the responsibility of developing and maintaining, for each district, lists of citizens with high qualifications for appointment to the community boards. Names for such lists should be solicited from community organizations, from leading citizens, and from other suitable sources, in each district. The central agency should insure that all such lists include qualified persons of both sexes and of all

* See Part V, pp. 69, 70

groups significantly represented among the students in the public schools. From these lists the Mayor should appoint five members of each Community School Board, acting after the selection of parent representatives by the district panels. He should give particular regard to the need for insuring reasonable representation of those groups in a community which may be inadequately represented by the process of parental choice. We are confident that to assure continuity from the existing to the new system, the central education agency would wish to include in its roster—and the Mayor would wish to select—a number of the men and women who have acquired experience with school affairs through membership on current or past Local School Boards.

Renewal. Since the Community School System itself is a new venture for an urban school structure, and since the proposed community board selection process particularly is an untried element about which the Panel and its staff have already heard many conflicting predictions, machinery for revision should be included in the enabling legislation for the reorganization.

The proposed selection procedure might need rethinking for a number of reasons. It might not promote sufficient parent participation or provide sufficient representation of minorities within a district. Or the number of board members may be found to be too large or too small for the effective functioning of the Community School Board.

The State Commissioner of Education should therefore be empowered, after a trial period of three years after the first Community School Boards take office, to authorize a referendum on any alternative plan for board selection or composition in a Community School District. His decision should be based on a judgment that the proposed revision appropriately reflects the interests of all residents in the district. The referendum could be requested by the Community School Board or by petition of such a number of parents or community residents as the Commissioner would determine. To become effective the plan should receive a majority vote of those voting, and to provide for a reasonable period of experience under any new

plan, referenda should not be held more than once every three years.

Powers and Responsibilities

General — Community School Districts should have authority for all regular elementary and secondary education within their boundaries and responsibility for adhering to State education standards, newly defined city standards, and city-wide policies of the central education agency. Community School Boards could delegate powers to the superintendent or other district supervisory personnel or to the central education agency or Superintendent of Schools.

With the exception of powers reserved to the central education agency, the Community School Districts should have all the powers necessary to operate public schools effectively — including determination of curriculum policy; budget formulation and expenditure; creation of staff positions; personnel appointment, selection, and granting of tenure; control over school property; determination of district organization within and among schools; zoning and pupil assignment; textbook determination; contracting authority with other institutions or individuals, including State and Federal government agencies; and the conduct of relations with other districts and with the central education agency.

With such powers—and with adequate resources—any Community School District could create within New York City a school system that in imagination, flexibility, and innovation could match or surpass the most dynamic suburban or small-city school district in the country.

With freedom to contract with other agencies, one Community School District could, for example, arrange with a university to conduct special reading programs while another could contract with a research and development corporation. The performance of each could be compared, both as to cost and effectiveness.

Another possibility lies in the use of supplementary sites for instructional purposes—museums, parks, art galleries, industrial plants, and scientific laboratories—not only on a hit-and-miss visit basis but for sustained periods.

For experimental purposes, a Community School District could designate a cluster of schools for a sustained experiment, of perhaps three or four years, with a particular style of education—Montessori, say, or Summerhill—that it might not wish to employ throughout the district.

In cooperation with local representatives of the United Federation of Teachers, a district might experiment with new patterns of teacher engagement; the election of principals, for example, the use of the teachers to travel throughout the country on recruiting missions, internships for teachers in community institutions, fellowships for advanced study, preceptorship assignment to equip parents and other community residents as aides or semi-professional assistants in team teaching.

As community institutions in more than the sense of physical presence, district schools could more readily undertake work-study programs with nearby public and private institutions, and cooperate with other public agencies in services for children—very thorough physical examinations and treatment at hospitals, for example, and closer collaborative programs with recreation agencies and the police precinct.

They could develop parent and adult education programs pinpointed to the needs, abilities, and aspirations of community residents, and early childhood education programs could be expanded more readily.

The personnel area offers a wide range of opportunities. A district might also experiment with a variation of the parent-helper practice by assigning, with parental authorization, a number of children to the home of a parent who had undergone some professional training. A district could, with approval of the State Commissioner, employ professionals from outside public education—law and medicine, to say nothing of college teaching—to teach individually or in teams with regular teachers.

A district could authorize exchange programs with foreign countries or, for talented high school students, junior years abroad or in another part of the country.

In addition to general responsibilities for maintaining educational standards* the Community School Districts would have a number of specific

responsibilities, including adherence to building maintenance standards, the collection and submission to the central education agency of information on expenditures and other data necessary for preparation of the budget allocation formula, records of pupil performance on standardized tests, and attendance data; and provision of space for classes conducted by the central education agency in school buildings throughout the city for handicapped and mentally retarded students.

High Schools—Because the present Board of Education has announced a policy of moving toward comprehensive high schools throughout the city, a special word is in order about the operation of high schools under the proposed Community School System.

All that we have said about the community role and responsibility in the education process and about the need for a dynamic partnership between parents, other community members, and professionals, applies to secondary education as well as to lower schools. It would therefore be desirable to include high schools as an integral part of Community School District responsibilities. It is also feasible because the city's fifty-five regular academic high schools, which serve 79 per cent of the high school population, are fairly evenly distributed throughout the city (one marked exception is the absence of any high school in Central Harlem).¹¹

The city's five special high schools and twenty-nine vocational schools serve 65,300 students, or 21 per cent of the high school population.¹² Since they draw students from all over the city, they should continue to be operated by the central education agency. Another reason in the case of the specialized vocational high schools is the possibility that such schools might well become post-secondary publicly supported technical institutes.

Placement of all regular high schools under the jurisdiction of the Community School Districts would be conducive to articulation with lower grades.

Concerns were expressed to the Panel that placement of the high schools in districts would reduce articulation among schools in various parts of the city and penalize students who transferred from one high school to another. However, the

* Discussed more fully on p. 39.

evidence is that less than 5 per cent of the city's high school students currently transfer between high schools annually.¹³ Moreover, state standards provide for a considerable degree of curriculum comparability, whether a student transfers from Manhattan to Brooklyn or from Albany to Schenectady.*

The Board of Education, supported by studies by civic groups, has recognized that the technological change often renders specific vocational training (and equipment) obsolete before students enter the world of work. The Board has therefore announced a policy of moving from specific vocational curricula to generalized programs that would be integrated into comprehensive high schools, where all students would have access to academic training that would qualify them for education beyond high school as well as to vocational studies. The Board is considering several possible ways of converting all regular high schools into four-year comprehensive institutions.

The question of conversion to a system of comprehensive high schools is one instance of a current central policy with which the new system would have to grapple. The central education agency, should it decide to continue the policy, should consult closely with the Community School Boards. In any case such decisions, with implications for each Community School District, should be subject to the provision that the central agency can promulgate standards only with the approval of the State Commissioner of Education.

Should the vocational schools be phased out as a comprehensive system develops, their students would be assigned to comprehensive high schools in the districts of their residence.

Special Programs and Services—Logistical Services—school lunches, health,¹⁴ and similar services—should be decentralized as much as possible, but time did not permit the Panel to make sufficiently detailed studies of present operating procedures and expenditures to determine precisely how. These studies should be made by the Temporary Commission on Transition that we have proposed.†

Adult and Community Education. These pro-

grams—which cover fundamental adult education, evening schools, recreation facilities and programs, and some vocational guidance services—should be essentially the responsibility of Community School Districts.

For after-school and evening centers, which offer leisure-time activities and non-credit courses in 450 locations, including many in housing projects, Community School Boards clearly should bear both budget and policy responsibility.

The other programs are distributed unevenly throughout the city, and the Transition Commission would have to analyze their feeder patterns before determining whether a given program is essentially a community activity that should come under Community School District jurisdiction or whether it draws from a sufficiently wide area for some other arrangement to be made. These include fundamental adult education (eighth grade equivalency and citizenship training), swimming pools and athletic fields, welfare education, and evening trade schools and high schools. Certain other programs clearly seem to be central responsibilities—manpower development and training which is funded on a project basis, pre-employment trade courses, and veteran and reconversion training programs.

Pupil Personnel Services. Services and classes for children with retarded mental development, physical, visual or acoustical handicaps or for those who are in programs for the socially maladjusted or in "400" schools, hospital and shelter schools should remain a central responsibility.

The services now provided to schools throughout the city by central bureaus for speech improvement, child guidance (including most of the social workers, psychiatrists, psychologists, and other specialists) and educational and vocational guidance (including almost 900 guidance counselors assigned to schools) should be district responsibilities, including the hiring of personnel. The central education agency should maintain resource services, including coordination with citywide agencies in these fields, for use by Community School District personnel on request.

Responsibility for enforcement of the State Ed-

education Law requirements for school attendance by all children and for services to absentee children, currently under the central Bureau of Attendance, should devolve to the Community School Districts. However, since there is a need for citywide coordination and articulation with such city agencies such as the courts in these matters, the Temporary Commission on Transition should make a thorough study of the operations of the Bureau of Attendance in order to decentralize responsibility (particularly for the selection of attendance teachers) and insure citywide coordination.

All Day Neighborhood Schools, Special Service Schools, and Similar Programs. The Panel is of course in strong accord with the concept of special services for pupils with severe problems, and has embodied this concept in its suggestions for a formula for allocation of funds to the Community School Districts. The present school system has recognized this concept by establishing Special Service Schools. But the proposed Community School Districts may have other approaches to providing special services, so the future of these schools should be a matter for determination by individual Community School Boards. Since there may also be a variety of approaches to community facilities and programs for very young children, the same rule should apply to the All Day Neighborhood Schools.

Fiscal Powers—The Community School Districts would not have taxing powers, but in order to conduct their affairs with the greatest possible initiative, flexibility and authority, they should receive a total annual allocation of operating funds. The central education agency should allocate these funds from the city's total budget for education on the basis of a formula applied objectively and equitably across the city. (Alternatives for such a formula are discussed in Part IV, pp. 54-56).

Subject to review by the Mayor, the formula for allocating funds between Community School Districts should be calculated by the central education agency, since it would have the citywide data-gathering resources with which to make the calcu-

lation and would remain responsible to the State for educational quality and standards on a city-wide basis.

The criteria for distributing a total annual operating budget to the Community School Districts should be that:

- except to meet required educational standards and union-contract obligations, the Community School Districts can use the funds as they see fit for educational purposes;

- Community School Districts should have obligational authority;

- allocation should be sufficient to operate the schools without depending either on a Quality Incentive Fund that should be established centrally or on optional central services;

- Community School Districts with greater educational needs resulting from economic deprivation, low pupil achievement, gifted pupils, or other need factors should receive a proportionately higher amount.

The Mayor should review and pass on the formula, because of his responsibility for weighing the needs of education against other demands on the city's fiscal resources and his role in taxation and efforts to obtain state aid.

Under the reorganized system no school should operate under a lower level of financial support than before.

Within its total annual allocation the Community School District should have the power to determine priorities for expenditures. This authority is essential to policy determinations and decisions on pupil-teacher ratios, the functions of personnel, the number and kinds of books and other instructional materials, the conduct of experimental programs, and a host of other needs and educational strategies. A Community School District should be free to decide, for example, that in a given year it will sacrifice some painting of school buildings in the interest of hiring additional personnel. Or it may wish to pour heavy resources into a weak area in which it is not satisfied with progress.

Under the present system, effective variation of educational policies and strategies from one local district to another is virtually impossible, since

personnel ratios, per capita allotments for textbooks and teaching positions, and even allotments to various subject fields such as industrial arts and health education, are determined centrally and uniformly for all parts of the city.

In addition to discretion in the allocation of state and city tax levy funds, Community School Districts should have the authority to apply for and administer funds from such other sources as the central education agency's Quality Incentive Fund and city, State, Federal and private agencies. Allocations under Title I of the Elementary and Secondary Education Act should come directly to the districts. Programs should be developed by the Community School Boards in consultation with local Community Corporations.

Although the budget for school construction should be determined by the central education agency, Community School Boards should play a key role in translating their educational programs into space and design requirements. Given technical forecasts of construction and capital improvement needs and a general estimate of when the district may expect to receive funds, Community School Boards should be free to work with their own consultants as well as with central staff personnel on how best to meet these needs. The central agency should give proposed innovations special consideration and where possible grant demonstration funds to Community School Boards. The community boards should be consulted closely by the central education agency on construction or capital improvement priorities well in advance of submitting the capital budget to the city, and in subsequent planning.

A sketch of present fiscal procedures and an analysis of how budgeting could be conducted under the proposed reorganization are given in Part IV.

Personnel — The most significant aspects of personnel policy in the proposed Community School System would be:

- choice of community superintendents;
- recruitment, selection, and deployment of an adequate staff;

— positive interaction between the community and the professional staff within the framework of professional responsibility to the community and community recognition of the professional skill and integrity of educators.

The Panel's single most important — and potentially controversial — recommendation on personnel is to liberate the recruitment and promotion system from restrictions that have outlived their purpose and to strengthen and broaden the concept of merit.

The institution which monitors the existing personnel system, the Board of Examiners, we find not necessary to the more flexible, federated school system we propose. But this is just one aspect of the new shape of personnel policy under the Community School System. The framework is outlined below, and a more detailed discussion follows in Part III.

Community Superintendents. As the chief educational executive of the district, the Community Superintendent of Schools should make it his business to work for a climate that reflects community needs and aspirations, and encourages mutual respect among teachers, parents, and administrators.

In keeping with the sense of community which should develop in the new school system, and in recognition of the intersection of responsibilities of the public schools with such other services as health, police, welfare, and recreation, the Community Superintendent should also serve as a leading community planner, participating in major community enterprises and in creating opportunities for extending the range and effectiveness of the schools through other agencies and community leaders.

One of the flaws of the existing structure is that district superintendents are required to serve two masters, the community and central headquarters. Men who sense the needs of their districts and want to respond more aggressively and imaginatively to them often cannot act without approval at central headquarters. The Panel and its staff heard repeatedly of cases in which the strength and immediacy of a district superintendent's plans were diluted, if not thwarted, in the process. The

result is frustration, both for the community and for the professional.

There are able administrators already serving as district superintendents, but the process through which they are identified (mainly by interviews by other high-ranking administrators in the New York City school system) and selected (by the Superintendent of Schools) is too narrow for a Community School System.

The Community School Board itself should be responsible for hiring the Community Superintendent, and he should be employed on a contract basis. Only through this direct line of responsibility can he be expected to be fully sensitive to the expectations of the district.

The Community School Board should have freedom to select its superintendent from the widest possible field — from the New York City school ranks and among men and women who may hold posts in other cities and states or may even be in positions outside the educational field. Therefore, the only eligibility requirement for Community Superintendent should be that he meet the State qualifications for the position.

Informed community residents and professionals have predicted that many Community School Districts would appoint men who are presently serving as district superintendents. Incumbents who are not selected should, in accordance with the law, be retained at their salaries at the time the reorganization goes into effect, and they should be deployed to other positions under a plan to be developed during the transition period.

Other Administrators. Under the Community School System, the tenure of principals and other administrators at salary would continue to be protected by law. The administrative staff should be selected by the Community Superintendent with the approval of the Community School Board. The board should establish criteria for principals and other administrators, teachers, and other personnel, preferably in consultation with groups of parents and teachers, but to encourage the full exercise of the Community Superintendent's skill and initiative he should be permitted wide administrative discretion in the choice of his staff. Business,

curriculum, and other specialists will also be needed at the district level.

In the present national shortage of able educational leaders no city can afford to hobble itself with a recruitment and selection process that discourages talented people from entering or remaining in the system. The present promotional system in New York City restricts the entry and advancement of adequate numbers of talented men and women. For example, it now takes at least eight years (one-third of a teaching career before eligibility for retirement) for a teacher to rise to the first level of administration, an assistant principalship. To be eligible to take the examination for assistant principal, a teacher must have five years of teaching and one year of graduate study. About two years elapse between application and announcement of examination results.¹⁵

The Community Superintendent's freedom to select staff, therefore, should not be confined solely to centrally prepared personnel rosters. The basic requirement for school principals and other administrators should be to meet state qualifications or alternatives approved by the State Commissioner of Education.

To enhance recruitment possibilities and to encourage clear and fair patterns of professional entry and promotion, the Community School Board should publicly state its criteria for selection and advancement of staff. Wide notice of openings should be given through communication with the central education agency's personnel division, with colleges and universities, and with local and national union and other professional associations.

Since principals in the Community School System should play an important role in promoting a positive climate in the neighborhood served by their schools, it would be highly desirable that parents and faculty be consulted in their appointment and assist in formulating criteria for their selection.

Teachers and Other Nonsupervisory Personnel. Teachers should be employed by the community board on the recommendation of the Community Superintendent, subject to state standards. As suggested earlier, the Community School Sys-

tem should stimulate and facilitate new patterns of professional collaboration—both by individual teachers and their union—with administrators, parents, and the community at large. For example, union representatives at the district level could discuss with Community School Boards or Community Superintendents local arrangements to tailor hours and working conditions to experimental programs and other local circumstances. Any variation from the citywide contract must, of course, be subject to approval by the central education agency, and to whatever procedures are established on the union side as well.

Districts should be free to recruit able teachers from the widest possible arena. Since the present system of examination, licensing, and assignment would limit this freedom, it should be liberalized, and teachers should be certified if they meet State standards.

In place of the present school system's Board of Examiners, the central education agency of the Community School System should have a Professional Manpower Division that would maintain lists of teachers and supervisors who meet state standards (or variations approved by the Commissioner), would solicit and receive applications from educators in and outside the city, and would, upon request of a Community School Board, certify or examine candidates for district positions.

The tenure rights of teachers currently employed by the school system should be protected. Problems and procedures concerning reassignment requests and related matters should be handled by the Temporary Commission on Transition.

For teachers and others not tenured when the reorganization goes into effect, tenure should be awarded by the Community School Board on the recommendation of the Community Superintendent. He could develop collaborative procedures with parents and teachers to develop criteria and guidelines for teacher performance and consideration for tenure.

Adequate Staffing. Fears have been expressed to the Panel that some Community School Districts would not be able to find enough qualified staff to man their schools. We have considered this point

carefully, and while the possibility would exist, as in fact it does in the present system, we are convinced that the fears are not well founded, for the new system will provide new possibilities for recruiting qualified teachers and an expanded base from which to draw.

We believe that the removal of the entrance rigidities of the present system will encourage the entry of additional talented teachers from the city, the metropolitan area, and throughout the nation.

Despite many problems, the school system's salaries are competitively quite favorable. Moreover, the air of reform and innovation which the proposed reorganization promises to breathe into the New York schools should attract in greater numbers men and women ready to accept difficult professional challenges. (More detailed argument on these points is developed in Part III.)

Collaboration with Professional Groups. As another means of strengthening the powers of professionals as well as the community, the Community School Boards should maintain regular liaison not only with individual staff members but also with teacher and supervisory organizations. The United Federation of Teachers already is decentralized on both a school and district basis. The Council of Supervisory Associations indicated to the Panel its strong interest in establishing structures at the district level. Community School Boards should consult regularly with these bodies on such matters—staffing patterns, personnel transfer policies, curriculum, and community relations, for example—in which professional groups not only have a legitimate interest but also on which their viewpoints and experience would be valuable.

INDIVIDUAL SCHOOLS, PARENTS, AND TEACHERS

The Panel holds strongly with the proposition that the most significant interaction between the community and the educational system occurs at the level of the individual school. Under effective decentralization, as before, the school would be the primary point of contact with the system for the vast majority of parents. It is at the school level that the decisive test of the proposed Community School System will occur.

The reorganized system should open up possibilities for new and strengthened avenues of participation and dynamic partnership among parents, teachers, and administrators of each school — all for the educational growth and personal development of all pupils.

The Panel received some suggestions that decisive powers be lodged at the school rather than at the district, level. We concluded that to do so would atomize the city school system. It would make it impossible for Community School Boards to provide all schools with a full measure of educational services, to make effective use of facilities, or to advance inter-school collaboration and innovation.

But individual schools do not need such power to acquire strength. For one thing, the effective power of each school under the Community School System would be increased by the sheer fact that it would be one of twenty or thirty rather than one of nine hundred in expressing its needs and preferences to the basic decision-making unit.

And just as the Community School System is designed to reflect the diversity of the entire city, so each Community School Board should take pains to recognize and respond to the special needs and circumstances of individual schools. That means attention not only to schools with active parent bodies but also, and perhaps especially, to schools whose parents may be slow to participate.

With strict uniformity no longer a characteristic of the school system, each school should have a variety of options. These would range from the use of facilities — keeping school buildings open in the evening and on weekends, for example — to curricula that vary but still meet educational standards. Schools with substantial numbers of Puerto Rican children, for example, might take advantage of the fact by helping all children with both languages; they might actually experiment with alternating instruction in some regular academic subjects in English with instruction in Spanish for both native English-speaking and native Spanish-speaking children.

Schools in districts that have contracted with universities could have special skills centers in reading and particular academic subjects.

A curriculum research center could be established in each school, for use by teachers and also to keep parents informed of curricular developments in the school and across the country.

Other options for individual schools would include nongraded organization, tutorial arrangements, and other means of pacing instruction to the ability and level of the individual child.

Options on personnel patterns should offer another fruitful area for choice. Besides liberalized practices for entry and promotion of professionals, and a strengthened concept of merit, which we discuss in other sections of the report, the Panel is recommending that Community School Districts be permitted to establish career patterns for training paraprofessionals. A teacher aide, for example, should be given opportunities to rise to professional status with appropriate training. A neighborhood resident lacking a high school diploma who entered the school system as a teacher aide could, after taking high-school equivalency studies, win promotion to a rank of teaching assistant. Thereafter, with studies at, say, a nearby community college, she might be advanced to associate teacher status and ultimately acquire sufficient qualifications to be employed as a teacher. Such a route to professional status has important advantages. The prospective teacher would be trained while working in the very setting of her future career. Her experience would approximate, if not exceed, the medical internship or the law-clerk apprenticeship in its intimate daily confrontation with the reality of professional practice. In the meantime, community participation would have been strengthened by a bond of direct educational participation.

The Community School Districts would also be responsible for in-service training of teachers and could draw assistance from a variety of sources in such efforts, including the central education authority, universities and research and development centers, and the teachers union.

Each school could establish a community-faculty council or augment the parent-teacher association with jointly selected community residents, as individuals or as representatives of community organizations. Whatever the form — school-community

council, parent associations, or parent-teacher associations — they should make recommendations to, and be closely consulted by, the principal on curriculum and community education programs. Community School Boards also should establish regular procedures for consulting their parent groups and teacher groups on criteria for and appointment of principals.

Another prospect for more effective individual schools is the principal's ability under the Community School System to serve as a community planner. Since he would be the choice of a community superintendent of schools responsible to a board that has its base in the electorate of individual schools, he would be more likely to be regarded as an agent of the community, rather than an agent of some distant authority. With more flexibility, because of administrative improvements under a decentralized system, he would have more time. He should also have the assistance of such personnel as a school business manager and teacher-training officers, to enable him to play a more effective community role.

Finally, greater coordination between the new school districts and other community-based units for governmental functions would provide him more opportunities to work with residents and other officials — in recreation, health, and police agencies, for example — in assuring that school activities become a more integral part, if not the hub, of other community activities. One school visited by a Panel member, for example, conducted an experiment in which a group of fifty pupils were given comprehensive examinations in a neighborhood hospital; forty of them, he was told, were found to have hitherto undetected physical problems that could be responsible for impeding their academic progress. Under a system of close coordination between the schools and other community agencies, such examinations could become the rule rather than the exception.

The precise manner in which parents and teachers will individually and jointly acquire and use new flexibility and responsibilities is difficult to predict, but some speculations about what the re-

organized system would make possible may fairly be ventured:

Parents

For parents, perhaps the most effective means of helping to shape their schools under the proposed system (though by no means the only one) would be their vote in the school assembly — the starting point for selection of a majority of the community board members. This is a role parents in New York City have not had before, and the new system must be understood in that context rather than as a minor variation of the existing structure, where the parent's voice can be heard, if at all, only after his utmost exertion and through a long chain of command.

But, as in the present system, the new Community School Boards would be able officially to recognize organized parent associations, and the record of these groups in New York City, the Panel believes, argues strongly for this recognition.

Community boards should guarantee a full flow of information and consultation to and from individual schools and parents. The Community School Board and the Community Superintendent should report publicly at least once a year on programs and expenditures at the individual-school and district levels. In addition, individual parents and their organizations should have reasonable access at any time to such information as expenditures and aggregate data on pupil performance and comparative data with other schools within and outside the district. The principal should make a formal report to parents and teachers at least once a year.

The Community Superintendent of Schools should consult with parents, through the school assembly and through parent associations on the criteria and selection of a principal.

Parent groups should be consulted by principals in formulating the school budget within target figures established by the Community School Board. They should be consulted by the principal in his recommendation of teachers for tenure and on the employment of personnel and the deployment of volunteers and paraprofessionals.

Using its authority to create teaching and other personnel roles, the Community School Board

could encourage substantially increased parent and community participation through the use of residents in a variety of assignments from clerical assistance to teaching trainee, aide, and other positions on instructional teams, and could, as noted earlier, devise career development programs and even offer scholarships for advancement to professional rank.

Teachers

Teachers work within a triad of relationships — to their pupils and the community, to administrative superiors and the school system as a whole, and to their own profession, individually and as members of unions and other associations.

Responsible teachers in large and small school systems are constantly striving to achieve an identity in all three contexts. In discussions with the Panel, many teachers made it clear how enormously difficult this search is in the New York City school system as it is now constituted. And the more conscientious the teacher, the harder it is.

The concerns of the teacher, in the Community School System as in any school system, would be:

- that he be protected in his rights as a professional and as a person,
- that his professional competence and integrity be acknowledged, and
- that he have latitude for exercising judgment, making decisions appropriate to his skills and experience, and experimenting with new techniques, instructional strategies, and materials.

The very sensitive area of his relations with parents and the community we have considered important enough to discuss in a separate section (Part V, pp. 69, 70). Our conclusion, basically, is that the proposed system not only provides legal and administrative assurances to teachers but that there is an affirmative prospect that the new system will make it easier for the teacher and parent to become what they should be naturally — allies in nurturing the growth and development of the child. They are, after all, the agents closest to the pupil, and it is a regrettable mark of the school system's fragmentation that their relations have become distant and in some cases strained.

The teacher's professional rights, principles of tenure and of recruitment and promotion on the basis of merit and competitive, objective criteria all are established under existing laws and regulations and augmented by the proposed legislation creating the Community School System.

And it is in the third area — the teacher as a professional practitioner — that the proposed Community School System holds particular promise.

For the question in the minds of many teachers is, as one of them put it in a speech two weeks before publication of this report, whether decentralization of the schools will simply mean "transferring powers from the top of a large bureaucracy to the top of a smaller bureaucracy."¹⁶

New York City teachers are isolated at the end of a long chain of command. They are not consulted regularly, if at all, about curriculum, or classroom surroundings, or the criteria on which colleagues, to say nothing of supervisors, are chosen. Initiative and innovation, if not discouraged, are administratively difficult because of the uniformity imposed perforce by a highly centralized system. Furthermore, the Panel has it on the word of teachers who appear to be dedicated to their profession that in too many schools teachers are fearful. They are said to be subject to overt and subtle reprisals (including, ironically, assignment to difficult classes) for any criticism of the school. The way to avoid reprisals, as one teacher put it, "is to take all directives from the supervisors at face value and never question, criticize, suggest, or file grievances."

What difference will the Community School System make?

It is best to say straight away that the reorganized system would not confer upon teachers per se final authority to determine who shall or shall not become a professional, who shall be promoted, and who their supervisors shall be. Entry into the profession would be governed essentially as it is now not only in teaching but also in medicine, law, and other professions — that is, the state is responsible for licensing professional practice. A professional voice in admitting men and women to professional standing would continue, of course, in the fact that

admission to practice depends on standards administered by the chief professional educator of the state, the Commissioner of Education, with his professional staff.

But the Panel strongly recommends that Community Boards should carry the process down to individual schools and districts:

— Community School Boards and Superintendents should create vehicles at the school and district levels for continuing dialogues with teachers about matters that matter in the classroom.

— Boards should establish official procedures for regular consultation with teachers — through their union, or through faculty councils, or both — on such matters as criteria for tenure, objective qualifications for hiring, personnel deployment patterns, voluntary participation in experiments (as specified in the latest union contract, for example), and criteria for and appointment of principals and other school administrators.

With fewer constraints arising from centrally imposed uniform rules and regulations, teachers should be permitted a materially greater voice in decisions about curriculum and texts and other materials, and in such homely, but nonetheless important, matters as classroom furniture and arrangements. They should regularly be given released time to plan curriculum and work on other aspects of school improvement with their colleagues, not only teachers but also with the panoply of other professionals who help staff modern schools — curriculum specialists, guidance personnel, psychologists, and audio-visual and other specialists. Under the existing system many of these specialists too often turn much of their attention, if not their loyalties, to functional bureaus at central headquarters instead of concentrating primarily on their work as part of a mixed professional team in the school.

Teachers should also have fresh opportunities for advanced study and collaboration with professionals in other fields, in the community and nationally. Many other opportunities, some of which are noted elsewhere, also would exist for teachers — in budget formulation, in the design and staffing of in-service training for professionals and para-

professionals, and in recruiting locally and nationally.

Scholarly analyses have from time to time speculated about true professional status for the school teacher:

Even under the most favorable conditions some teachers will not accept any responsibilities concerned with their occupation. . . . But the fact remains that the other side of the coin of alleged teacher indifference is either the futility of opposition to those who wield power or the absence of objective conditions of time, place, and resources favorable to the acceptance of professional responsibilities.

. . . a thoroughgoing profession of education would require a transformation of the teacher's job, but it would require much more than this. It would require basic changes in the legal and administrative structure of public education. . . . Teacher-pupil, teacher-administrator and teacher-community relationships would have to be considered in new dimensions and from new perspectives if and when the professional spirit pervades public education.¹⁷

Many of the changes indispensable to true professionalism are in prospect in the Community School System. Some of them are legal changes, some are administrative, and some must depend on good will and willingness to try the untried. But taken together, they offer the teacher a new lease on his professional life, and in so doing promise the children of New York City new dimensions of effective teaching.

While the Panel has heard some reservations and fears, it also senses hopeful anticipation among some teachers. For example, one group of teachers and parents on the upper West Side of Manhattan are planning an experimental "community-centered demonstration school for decentralization." The idea arose when teachers who were out on strike in September voluntarily established a school in a community center. "It is regrettable that . . . creativity grows out of a crisis," said one of the teacher-founders of the school:

But without the crisis we would never have had the opportunity to demonstrate to ourselves, to some parents, and to many children that teaching and learning are possible if they can take place in an atmosphere and climate which permits teachers, parents, and children to behave as human beings...

Should decentralization in our area die, so will we (teachers). Because our only other alternative is to remain in the public school as it is now, and for some of us this is no alternative at all.¹⁸

CENTRAL LEVEL

Two Options for the Central Education Agency:

The Panel originally believed that it was not charged with responsibility for any new recommendations with respect to the composition of the central Board of Education. Our studies and discussions have persuaded us that this view was too limited. As new authority and responsibility are assigned to community boards, the role of the school system's central agency necessarily changes, and it becomes necessary to consider whether this change of role requires a change in the process of appointment.

Our mature conclusion is that such a change is indeed required, and that strong community boards should be accompanied by a revitalization of the central education agency. We have further concluded that there are two suggestions of sufficient interest to be recommended to the Mayor for his further consideration.

The first and more drastic proposal is that the central Board of Education should be replaced by a three-member commission of unusually qualified men and women drawn from highly responsible careers in education, business, or other professions and appointed for reasonably long terms at high salaries. We have heard this proposal from more than one perceptive and experienced professional educator, and we think it deserves careful consideration by political leaders. It has the advantage of recognizing the very heavy burden of action which now rests on the senior agency of the New York City school system. It has the disadvantage of departing from the nationwide practice of placing laymen in final responsibility for public school systems. Those who urge the change point out that this disadvantage may be more apparent than real, in that the traditional function of the laymen will now fall mainly to the members of the new Community School Boards. Proponents of the commission urge in addition that in modern times in great cities the national habit may simply be wrong. They urge that a small and powerful

group of expert managers, working full time and supported by a responsive staff, could give New York City a kind of educational leadership which is possible in no other way.* Indeed there are those who urge that such a reorganization at the very top of the New York school system may be just as much needed—and just as relevant to the real desires of parents—as the more complex plan of decentralization with which this report is concerned. There is a strong school of thought which holds that what parents want is not participation but results, and that the way to get results is by installing a fresh first team at central headquarters.

The Panel recognizes the force of this line of argument and considers it of sufficient importance to deserve inclusion in this report. If the Mayor and the Legislature, with their responsibility for sound political judgment, are prepared to move in this direction, we think they should know the case for doing so. Lacking their political responsibilities, we do not attempt to decide the question.

If the Mayor and the Legislature should be reluctant to adopt the concept of a high-level salaried commission (as more than one of us is too), then we recommend a reconstitution of the current central Board of Education to meet two objectives:

First, encouragement of citywide educational cohesiveness and collaboration in a federated system.

Second, recognition of public education as a vital organ of urban government and of the need for strengthened coordination of education with human services operated directly by the city government. Two-thirds of the annual budget for public education in New York City comes from the municipal budget, and the school system itself constitutes over one-fifth of the cost of city government.

The central Board of Education should ultimately consist of nine members:

— Five should be chosen by the Mayor from a list of names submitted to him by an assembly of the chairmen of Community School Boards — a total of fifteen names for selection of the initial five members and thereafter, as vacancies occur, from three to five for each vacancy. (Should the

*Advocates of the commission recognize that the commissioners would have to have many of the powers and attributes that are now assigned to the Superintendent, but they do not find this point disturbing; they argue in reply that the central Board and the Superintendent today — the offices, and not the individuals — give the system a double summit which is confusing to many.

Mayor select a nominee who is a Community School Board member, that nominee should be required to resign from his position on the community board, since service on both boards would be undesirable and excessively burdensome). To assure continuity, the five members should be appointed for staggered terms so that one new central agency member is appointed annually from Community School Board nominations.

— Four should be chosen by the Mayor from names submitted by the eleven-member screening panel, consisting of civic leaders and heads of colleges and universities in the city, that is currently provided by state law. The Mayor should have the right to augment the screening panel by adding from two to four persons in order to give recognition to segments of the population that are not adequately represented by the existing panel. (See Chart II, opposite)

The five district-nominated members called for in this plan should be appointed at the beginning of the next mayoralty term in 1970. Meanwhile, the existing Board of Education could continue to serve, but the vacancies occurring after the new legislation is passed should not be filled, to begin to make room for the five new members. There will be two such vacancies in 1969, and therefore the continuing agency would have seven members in the last eight months of that year. With the five new Community Board-nominated members appointed early in 1970, the central Board of Education would temporarily have twelve members. Two additional expirations of present terms occur in 1970 and one in 1971. These three expirations should be left unfilled; thus after May 1971 the reconstituted Board will have nine members again. We believe that the Mayor should have discretion as to whether to fill any additional vacancies which occur by death or resignation, but we recommend that the Board of Education should at no time have less than seven members.

City Superintendent of Schools

The City Superintendent of Schools should have authority, delegated to him by the central education agency, to plan for the future development of the Community School System and oversee the maintenance of standards.

He should use his professional knowledge to inspire, encourage, and lead the entire professional staff to maximum effort to improve education in the city. He should upgrade the competence and output of the central staff so that community boards and community superintendents may avail themselves of the research work, curriculum development, and instructional upgrading services which can be performed by a central staff freed from many pressures and operating responsibilities.

The Superintendent should be the primary liaison agent with the professional staff of other city departments, as well as with state and federal agencies.

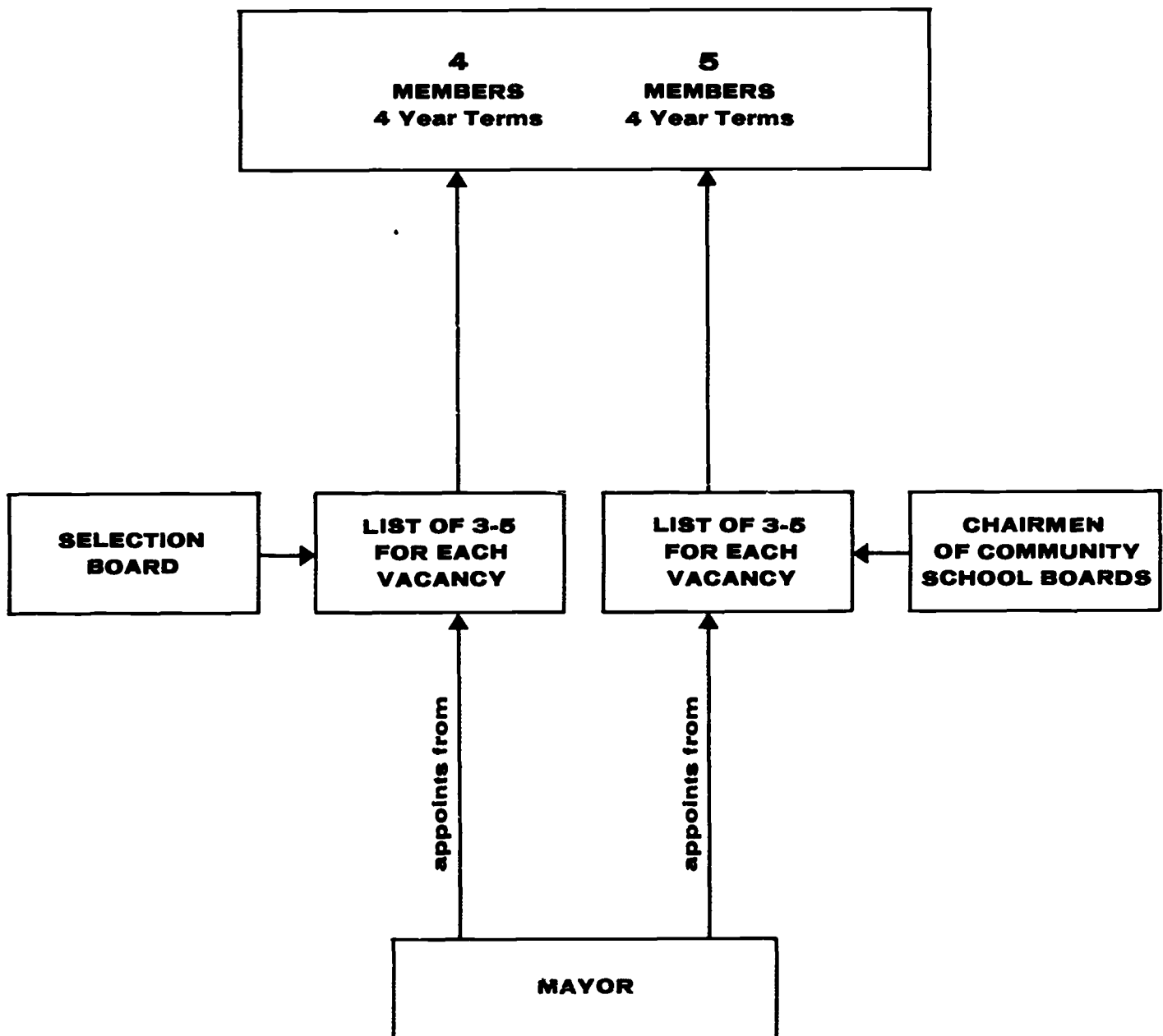
The Superintendent should encourage cooperation among the Community School Districts and between them and the central education agency and the central staff, and serve as chairman of a Council of Community Superintendents.

Subject to review of the central education agency, the Superintendent of Schools also should:

- select a headquarters staff;
- recruit and/or hire teachers upon request of district boards;
- collect attendance data;
- establish uniform guidelines for preparation of district budgets;
- provide purchasing, warehousing, transportation, and other logistical services requested by district boards;
- consolidate district requests for capital projects and submit them to the City Planning Commission;
- recommend award of incentive and innovation grants to districts;
- consolidate fiscal need data required for lump-sum expense budget allocations to the districts;
- consolidate, review, and allocate federal funds to districts that are eligible;
- maintain data-processing facilities for headquarters functions and for services to districts;
- operate special-education facilities and programs that draw pupils from several local districts;
- provide technical advisory services requested by district boards;
- maintain lists of qualified candidates for teaching and supervisory positions;

Chart II

METHOD OF SELECTING CENTRAL BOARD OF EDUCATION



- coordinate activities with other public and private agencies; and
- report to the public on the state of education in the city.

Powers

The central education agency itself and through delegation to the Superintendent of Schools and his staff should have operating responsibility for all the special schools, specialized high schools, vocational high schools and special classes for the handicapped — a total of seventy-two schools with a student population of some 80,000, or about 8 per cent of the city's public school students.¹⁹

The central agency and the Superintendent would then be free of much of their present massive operating responsibility. The pressures and routine problems of communities in every corner of the city would shift to the Community School Districts, which would be responsible to their constituencies and endowed with powers to act on educational needs at the community level.

Thus, the central education agency would have a wide new margin for action on a major set of responsibilities. As never before in its modern history, the Board would have not only the paper power but also the realistic opportunity to concentrate on the essential central functions vital to the schools throughout the city. It would not bear precisely the same relation to the Community School Districts as the Board of Regents and the State Education Department do to school districts throughout the state, but in effect it could have the same great potential for leadership and service.²⁰ It could lead and serve more by commanding professional and community respect and confidence than by directive power.

Apart from its operating responsibilities, as noted above, the central education agency should have three sets of important functions:

- policies for which it has citywide responsibility, with which the Community School Districts should be required to comply;
- services it must provide for the school system as a whole; and
- services that should be available to Community School Districts on an optional basis.

In general, the Board should discharge its re-

sponsibility to the State Commissioner of Education and the Board of Regents for public education in the city of New York by its own activities and by surveying and reviewing the operations and policies of the Community School Districts. It should call to the attention of Community School Boards activities that do not conform to state educational standards, and report to the Commissioner of Education on violations of state standards and offenses against the goals of public education. Further safeguards, and the possibilities of additional standards on a citywide basis, are discussed on page 39.

Policy Authority. Budget Allocation. The central education agency should have basic responsibility for developing and administering an objective and equitable formula for total annual budget allocations to the Community School Districts. The Mayor should have the right to review and approve the formula.

Pupil Transfers. In order to insure maximum utilization of school buildings throughout the city, the central staff should have the authority to reassign pupils, and the central education agency (in cases of gross underutilization or overcrowding) to alter community district boundaries, after consultation with the school boards of the communities affected.

Labor Relations. The central education agency should represent the city school system as a whole in collective bargaining, after consultation with the Community School Boards. It should bear a primary responsibility for setting citywide standards for salaries and fringe benefits.

Capital Budget. The central education agency, with the professional advice of the central staff, should conduct planning and research on all school facilities and prepare the capital budget after consultation with the Community School Boards.

Design and Construction. Community School Boards should be empowered to work with their own consultants on space requirements and buildings, and encouraged to propose solutions to needs for facilities, but the central education

agency should determine cost limitations and standards of construction and contract for construction.

Maintenance Standards. As part of its responsibility for the capital budget and construction, the central education agency should advise Community School Boards on minimum standards for maintaining buildings and require adherence to such standards.

Long-Range Planning. With its central information services and its ties to other governmental services at the city level, the central education agency and staff should serve as a center of educational leadership for the city as a whole. It should be responsible for planning and interdistrict cooperation on such concepts as educational parks and "linear city" projects. It should identify citywide educational problems, convene individuals and groups to study them, and assemble the talent essential for their solution.

Integration Policy. The central education agency should determine policies and devise plans and programs to advance racial integration in all schools and survey community-district compliance with them. Part of a Quality Incentive Fund set aside for central use from the total education budget for the city should be devoted to grants to assist districts in advancing racial integration in their schools. The central education agency should have the power to overrule any measures taken by Community School Boards which tend to support or enforce segregation.

Parochialism. The State Commissioner of Education could draw up specific guidelines pursuant to which the central education agency could overrule any actions by a Community School Board that are judged to be inimical to a free and open society. This power should not be interpreted to exclude a reasonable curricular emphasis upon the cultural background of groups constituting a large or dominant element in a given school.

Constitutional Rights. The central agency should have responsibility for safeguarding the constitutional rights of pupils and professional

and other employees in schools operated centrally or by the Community School System.

Federal Relations. The central education agency should be responsible for proposals for federal grants and programs. It should consult closely with Community School Boards in applications for citywide programs, and it should encourage Community School Districts to take initiative for federal assistance. Funds under Title I of the Elementary and Secondary Education Act should be allocated directly to eligible districts from the State under federal guidelines.

Mandated Citywide Functions

Information. Except where an individual student is involved, all information on the school system -- budget expenditures, testing data, and so on -- should be made public, and copies available locally to the district.

Data Processing and Collection. The central staff should maintain facilities and employ specialized personnel for the collection and processing of information required at the central level and in the Community School Districts for a range of activities from budget preparation to performance analysis and research.

Budgeting. The central education agency should maintain a Program-Planning-Budgeting System and develop forms for the submission of district budgets. The budget staff should analyze district budgets and advise on changes which would increase cost-effectiveness. Analysis and evaluation of cost-effectiveness and cost-benefits of district budgets should be reported annually in a public document. The budget staff should also be responsible for consolidating district and central budget estimates for submission to the city.

Accounting and Auditing. The central education agency and staff should maintain accounting and auditing services for all educational operations. The central staff should also develop a high level of synchronization between planning, budgeting, and management accounting systems.

Innovation and Research. The central education

agency should conduct research — independently and in collaboration with the Community School System and other agencies — on educational problems and possible solutions. It should maintain a Quality Incentive Fund, amounting to from 2 to 5 per cent of the total city school budget, for use on special projects it might support in selected Community School Districts and for grants to districts to encourage experimentation and innovation, including greater efforts to advance racial integration.

Personnel. Although the Community School Districts should have the power to recruit their own personnel, the central education agency should conduct teacher recruitment programs for its own needs and for districts that call on its services. It should assist in the placement of new teachers and teachers who wish to transfer from one district to another. It should hire staff for the schools it operates and maintain records on personnel throughout the system.

State Aid. The Board should gather and compute data on attendance for state financial aid purposes.

Testing. Since the central education agency is ultimately responsible for education in the city, it should require the districts biannually to test the skill levels of students on standardized tests and report to the State and the public so that school-by-school and district comparisons can be made. Such reports, combined with public Program-Planning-Budgeting analysis and review, should provide an impetus to healthy competition and experimentation among districts.

Other Services. The central education agency should also maintain legal services and discharge the civil-defense obligations of the city school system.

Optional Services—The Panel assumes that some Community School Districts, even though given authority over most of their own affairs, would readily take advantage of centrally available services. Others, at least in the beginning, would do it themselves or would contract for services elsewhere. In any event, a district would be free to

abandon the use of optional central services if it were not satisfied with them.

Purchasing—In order to afford economies of scale with bulk purchasing and with available purchasing specialists, the central staff should maintain a purchasing service for its own operations and for the use of Community School Boards that request it.

Curriculum and Research —For its own use and for Community School Boards that wish to use them, the central staff should develop curricula and inform districts of new developments in curriculum and instructional approaches throughout the country.

Personnel —For districts that choose to recruit personnel centrally the staff should maintain lists of candidates. The basis for recruiting and qualifying candidates should be liberalized, as suggested in Part III (Personnel), and a Professional Manpower Division should replace the present Board of Examiners. The central staff should also develop and offer in-service training programs for the Community School Districts as well as for the schools it operates directly.

Governmental Relations. The central education agency and staff should assist Community School Boards in their relations with other city, state, and federal agencies.

In a dual structure such as the proposed combination of a central agency and Community School Districts, disputes may arise from time to time between the two branches on the exercise of some of the functions enumerated above and on other matters. The State Education Law makes it clear that the State Commissioner of Education could hear appeals in such cases:

Any person conceiving himself aggrieved may appeal or petition to the commissioner of education who is hereby authorized and required to examine and decide the same; and the commissioner of education may also institute such proceedings as are authorized under this article and his decision in such appeals, petitions or proceedings shall be final and conclusive, and not subject to question or review in any place or court whatever.²¹

The courts have interpreted this power broadly,

holding that the intent of the State Education Law is to give the Commissioner

*full responsibility for the management and control, among other things, of the district schools and of their trustees; and to require of him a strict enforcement of the law applicable to such schools and trustees; to make his decision upon all disputes within his jurisdiction, which arose and which were brought before him by appeal or upon petition, in consequence of a violation of the school law, final.*²²

Maintenance of Educational Standards—The central education agency should continue to be responsible for maintenance of state educational standards, as outlined in Appendix B, in all city schools, including those of the Community School Districts.

As an added safeguard against any possible abuses and as a guarantee that standards will be maintained, the Panel proposes that the State Commissioner of Education be empowered to order a Community School Board or the central education agency to act — or refrain from acting — when he believes such an order to be necessary for the maintenance of sound education. With respect to the Community School Boards, the Commissioner may delegate this authority, but only subject to specific guidelines, and in any event he should have review over complaints by community boards concerning the exercise by the central education agency of this authority.

Finally, the central education agency, from its citywide vantage point, may wish to establish additional education standards and goals.

To promulgate such additional standards, the central agency should first consult with the Community School Boards and then submit the standards to the State Commissioner of Education for approval. The Panel recommends this review procedure because, while we want to preserve—and indeed enrich—the sense of each resident that he is a New Yorker, we do not want the identity of each group and each neighborhood melted away by the city's mass.

Thus if the central agency should promulgate city education standards, they should be substantial enough to insure that each child, no matter

where in the city he attends school, receives the fundamental educational preparation considered appropriate for the Community School System as a whole, yet not so narrowly drawn that they would inhibit any Community School Board's flexibility, imagination, and venturesomeness. In this discussion we sharply distinguish "educational standards" from such uniform procedures as reporting of attendance records, tests, and budget data, and from such noninstructional matters as building maintenance standards, all of which, as noted earlier, should be determined by the central education agency.

Present city minimum standards are too rigid. They tend to prescribe uniform operating procedures rather than educational goals. For example, they require that class size be no more than thirty-five, and in certain schools no more than twenty-seven; that each school shall have a textbook fund of a certain amount per pupil; that each district have a maintenance and supplies fund of a certain size; and that there be a given ratio of guidance counselors to pupils.²³ Such standards would limit a district's leeway for experimentation and innovation. For example, a precise prescription for class size might prevent a district from organizing instruction along team teaching lines, in which students might work both in very large lecture classes and quite small tutorial groups. A fixed ratio of guidance counselors to pupils would limit a district's ability, say, to strengthen instructional services in a given period by transferring positions from guidance services. Instead of guidance counselors, a given district might wish to provide guidance services by a team of psychiatrists, counselors, persons from other disciplines, and paraprofessional neighborhood residents. Fixed textbook allotments could hinder a program based on a curriculum that draws mainly on journals, paperback books, and films and other materials rather than on standard texts.

The reorganization of the schools provides an opportunity to take a fresh look at the existing standards. None should be carried over to the new system without thorough examination and without consultation with the Community School Districts, and should it be decided that the city schools do

need standards in addition to State requirements, they should be drawn as a constitution rather than as a handbook.

And the central education agency might, after all, conclude that state standards are sufficient for the Community School System too. Indeed while some observers have criticized state standards as being too general, others, including many school boards throughout the state, believe they are so specific as to restrict flexibility and innovation.

IMPLEMENTATION

LEGISLATION

The Act directing the Mayor to formulate a plan for educational policy and administrative units within the New York City school district included a request to submit appropriate legislative recommendations.

The Panel engaged legal consultants to draw up proposed legislation based on its recommendations for reorganizing the schools. However, the Panel also asked the consultants to investigate the extent to which the objectives of "greater community initiative and participation in the development of educational policy" might be met under present law.

The legal consultants concluded that the Board of Education under present law has very limited powers to delegate its authority to citizens operating in a private capacity or, as in the case of the present Local School Boards, a quasi-official capacity. (The Board of Education's power to delegate its authority even to its own officers is quite restricted, counsel observed.)

If the objectives set forth by the Legislature are to be achieved, therefore, new legislation must be enacted.

The alternative forms of new legislation were 1) to mandate delegation from the Board of Education to other bodies; 2) to place initial authority in some body or bodies other than the Board of Education—the Mayor, for example; 3) to authorize and urge, but not mandate, the Board to delegate authority, or 4) to establish community educational authorities directly.

The Panel concluded that in order to insure ef-

fective implementation of the proposed reorganization and to inspire public confidence in the prospect of real change the legislation should mandate the framework for reorganization. Accordingly the proposed legislation (see Part VI) establishes a Community School System in New York City, delineates its powers and responsibilities as well as those of the central education agency, and includes liberalizing changes in such essential areas as budget allocation and personnel.

The Panel urges that legislation for reorganization of the New York City public schools be introduced in the 1968 session of the Legislature.

TRANSITION

Transition to the proposed new structure would be complex, sensitive, and challenging. It should be so planned and carried out as to maintain continuity of education and minimize confusion and conflict. If properly designed and managed, the transition could be a stimulating, productive period in which all parties at interest will learn more about the processes of education and joint participation, and more about each other.

The responsibility for a rapid, effective change-over, the Panel believes, lies in three broad areas.

Monitoring

The first task is overall surveillance and assessment to insure that the transitional changes reflect the spirit of the reorganization. This responsibility, we believe, rests squarely with the State Commissioner of Education, to whom the State Education Law (Sections 314, 1526, 1801, et al.) gives general jurisdiction over school district organization. The Commissioner might monitor the New York City school district reorganization through the establishment of a special unit of the State Education Department based in New York City, but the precise choice of mechanisms and procedures should be his. Whatever the means, his monitoring responsibility would cover observance of deadlines under the legislation and approved transition plans. Where necessary, he should intervene to assure that transition proceeds effectively and on schedule; his general appellate jurisdiction already gives him the power to take initiatives in such cases.

Planning and Operations

Another main responsibility in transition consists of a wide variety of complex planning and operational functions. These should be lodged in an appropriately staffed and funded unit, herein called the Temporary Commission on Transition. The Commission should be a joint venture of the central Board of Education — given its experience and technical capacity—and of the office of the Mayor, since he will have proposed the reorganization to the Legislature and since the Bureau of the Budget must play a major role in the complex fiscal planning for changeover. The transition commission should remain in existence no longer than three years after passage of the legislation but could, if it considered its work done earlier, dissolve itself. The Temporary Commission on Transition should prepare detailed plans for review by the State Commissioner. Under approved plans, the Temporary Commission staff may itself carry out certain operations, and it should have authority to direct the central staff of the school system, through the Superintendent of Schools, to carry out others. As a practical matter, of course, most of the transitional operations should be carried out by the Superintendent and his present staff, whose knowledge of the system would be indispensable in assuring a speedy and efficient transition. Transitional plans and procedures, therefore, should be prepared in full consultation and collaboration with the Superintendent of Schools and his professional staff, as well as with Community School Boards when they take office.

For several of the following functions, plans will have to be developed not only for the fully operating Community School System but also for coordinating newly selected district boards and the present central Board of Education (later the central education agency) in the period of changeover:

Standards. Establishment of guidelines for the determination of newly defined city educational standards. The standards would be developed by the central education agency in consultation with the Community School Districts and submitted for approval to the State Commissioner.

Boundaries. Working with the central Board of

Education, the City Planning Commission, the Human Resources Administration, and other city agencies, especially those which are themselves organized on, or plan to organize on, a decentralized basis, the Transition Commission should develop a plan for district boundaries, governed by the criteria suggested on pages 16-17. Factors that must be taken into account include feeder patterns, optimum school and district enrollments, capital construction, pupil mobility, and distribution of facilities. Since present census and trend data are not adequate and since existing school districts and districts established for city services are almost totally incomparable, boundary research and determination will be particularly difficult. Hearings and other channels should be provided for public opinion and technical advice before submitting the plan to the Commissioner.

Personnel. After a study of central and district manpower needs and functions under the reorganized system, and an analysis of present headquarters staff and functions, the Temporary Commission on Transition should develop plans and procedures for the assignment, transfer, and retention of personnel, particularly the present central staff. Plans should insure positions for all tenured personnel. We believe that with the advice and counsel of the United Federation of Teachers the Temporary Commission should be able to combine flexibility with full regard for the interests of teachers.

The Board of Education should provide, itself or through contract with other agencies, training for new assignments and new roles for headquarters and other personnel. Personnel transition plans should be adopted only after consultation with the new Community School Boards after they take office.

Fiscal Guidelines. Determination of guidelines for procedures to be established by the central education agency for the administration and expenditure of funds by Community School Districts.

Reporting. Development of detailed procedures for submission of budget estimates and the reporting of other data required (registration, attendance,

teacher payroll information, etc.) for determining the formula allocation to districts; submission of district budgets; and procedures for changes after the funds are appropriated from the city and state. Transitional functions with respect to fiscal matters are discussed in more detail in Part IV.

Special Programs. Development of procedures for the decentralization of fundamental adult education, afternoon and evening centers, and evening academic high schools as part of Community School Districts' total responsibility, which would be encompassed in the total annual allocation of funds for districts.

Summer Programs. Determination, according to pupil distribution, feeder patterns, and sources of funds, of the policy and operational responsibilities for summer programs. The Panel recommends that such programs, which are inherently community-based, should be district responsibilities as much as possible.

Procedures for the Transfer of Students. Establishment of procedures for referral by districts of pupils to centrally operated programs and for other transfers of students.

Space for Special Education. Determination of procedures whereby the Community School Districts release class space to the central education agency for operation of special education classes.

Services to Districts. Development of operating procedures for requests and reimbursements for such central services to the districts as transportation, health, and school lunches. In addition, development of a system for the request, budgeting, delivery, and payment of the central education agency's optional services such as purchasing, maintenance, and curriculum development. The system should enable districts to choose without penalty whether to use services inside or outside the system, minimize the peaks and lows of supply and demand, and provide for budget formulation, approval, and changes, at the Community School District and central levels.

Orientation

In the period before Community School Board se-

lection, the central Board, city agencies, and civic and parent organizations should conduct extensive programs to further acquaint parents and other residents with educational issues and with the problems and responsibilities of a federated and community-based school system. The programs should include orientation and education down to the level of individual schools, particularly to assist and maximize parent participation in the school elections of delegates to the district panels. The Temporary Commission on Transition should itself establish and finance training programs to equip district board members better to discharge their responsibilities.

Timetable

Certain transitional operations should begin promptly, in the expectation that legislation will be enacted. The Board of Education and the office of the Mayor should organize the Temporary Commission on Transition promptly, and data collection and technical analysis relating to district size and boundaries should begin.

Assuming passage of legislation by the 1968 Legislature, the reorganization should be completed in its essentials by the Spring, 1970 school semester.

The following schedule should be followed:

Present - November 1968: Studies and hearings on district boundaries, and approval.

Present - November 1969: Development of a school-aid formula for budget allocation.

January 1, 1968: Designation of the Temporary Commission on Transition.

June 1968: Submission by the transition unit to the State Commissioner of a detailed plan and schedule for implementation, for his approval by November, 1968.

June 1968: Beginning of intensive parent and community education programs by the central Board of Education, the city Office of Education Liaison, the Council Against Poverty, present local boards, and other civic and parent groups.

June 1968: Beginning of training and orientation of school system staff for new roles under the Community School System.

November 1968 - September 1969: Studies by

the Temporary Commission on Transition on plans for redeployment and retraining of personnel.

February 1969: Selection of district boards.

March 1969: District boards take office and intensive training for board members begins.

September 1969: The beginning of the first school year under the new Community School System. The Community School Boards should begin planning for September 1969 immediately upon their taking office.

November 1969: District Board Chairmen make recommendations for five members to be added to the central Board of Education.*

February 1, 1970: Reconstituted Board of Education, consisting of five new and seven remaining current members, takes office.*

COSTS OF DECENTRALIZATION

We believe it will cost more to operate the Community School System than it does the present system. We commissioned fiscal experts to estimate roughly how much more, but they and we concluded that realistic forecasts could not be made in the time and with the funds available to

us. Particular aspects of the system – the number and size of districts, for example – would need to be known before any close reckoning could be made.

Moreover, the Community School Boards themselves might vary considerably in their judgment of the value of enlarged district staffs, and it would be part of their job to make the hard choice between funds for direct teaching and funds for management. Furthermore, it is obvious that increased costs in the districts should be balanced to a considerable degree by decreased costs in central headquarters. The net annual cost of decentralization might be very small indeed, or it might in the long run go as high as \$50 million or even \$100 million a year, depending on the choices of those responsible for the new system. But even if effective decentralization should be still more expensive than our upper guess, it would still be only a small element in a budget which is now far above \$1 billion a year. In the light of the size of the system and the magnitude of the price of mis-education, the dollar cost of this plan is not a major question.

*If the central agency becomes a full-time salaried Commission, these last two steps would not occur, and the Commission could be appointed in 1968 to take a full part in the transition.

III. PERSONNEL POLICY

PURPOSES

Under the proposed reorganization, personnel policies should:

- reflect the decentralized pattern of the Community School System;
- retain the advantages a large city school system can have in recruiting able personnel;
- promote the recruitment and retention of qualified, high-caliber personnel;
- expand the pool of educators for which the city's schools can compete;
- introduce performance and strengthen merit as criteria for promotion.

BACKGROUND

Proposed new personnel policies should be viewed in the perspective of the existing staff, recruiting, screening, and placement apparatus, which reflects the mass and complexity of the whole school system itself.

The eminent national reputation enjoyed by New York City's public school teachers and administrators in the past has been linked to the city's extensive system of examinations for the licensing of teachers and promotion to and through the supervisory and administrative ranks. The examination system for the New York City schools was established by state law in 1898. While many other systems were infested with

political appointments, the New York City school system was fed by a stream of outstanding educators, selected purely on merit. During the Depression years, for example, only about one of every 400 applicants passed the teacher's examination in New York City, and the staff ranks swelled with Ph.D.s and lawyers, among others.

Since World War II, however, as the reputation of the city's schools has been declining, the market situation has changed radically, and competition for good teachers is intense. The racial and economic character of the pupil population has also changed, and major segments of the student body are failing academically. Nonetheless, the basic approach to selecting and advancing personnel for the New York City schools has not changed.

New York City today has some 900 schools, over 1.1 million pupils, some 55,000 teachers, and 10,000 supervisors and other professionals.¹

There is a shortage of teachers. In the 1966-67 school year, there were about 500 uncovered classes; that is, classes to which no teacher was assigned on a permanent basis. Further, teacher absences accounted for an additional 1,500 uncovered classes daily.²

Over 50 per cent of the pupils are Negro or Puerto Rican (29.3 per cent Negro and 20.9 per cent Puerto Rican).³ The professional staff is predominantly white: slightly less than 9 per cent of the teachers are Negro and Puerto Rican — 8.8

per cent (or 4,855) Negroes and less than 0.2 per cent (about 100) Puerto Rican; 2.8 per cent (86) of supervisory staff are Negro and 0.1 per cent (four or five) Puerto Rican.⁴ In addition about 100 Puerto Ricans⁵ are qualified for teacher certification but are serving as auxiliary teachers, since their accents are regarded by examining authorities as disqualifying them from being fully licensed. The number of Negroes and Puerto Ricans in teaching and supervisory positions is gradually increasing, (e.g., for Negro teachers, an increase from 8.2 per cent in 1963 to 8.8 per cent in 1966),⁶ but there is wide agreement among qualified observers that the ethnic and nationality pattern of the professional staff has been and still is a reason for much of the disaffection of large segments of the community with the schools.

The staff is also geographically homogeneous. Perhaps as much as 99 per cent of the system's teachers came from a college or university in the New York City area; and, for all intents and purposes, all of the promotional ranks in the system are filled by people who began as teachers in the system and who have moved up the ladder.⁷

Most teachers and administrators are brought into the school system by traditional means and receive tenure in their positions almost as a matter of course. Each year less than a dozen teachers,⁸ and generally no administrators, are refused tenure after their three-year probationary period.⁹

Teacher dissatisfaction appears to be growing; it has not been measured objectively, but there is an indication, at least, in the rapid growth of union membership — from about 5,000 in 1961¹⁰ to approximately 50,000 in 1967.¹¹ (The United Federation of Teachers, incidentally, is the AFL-CIO's largest local in any profession or occupation.) The recent fourteen-day work stoppage that closed most of the city's schools was prefaced the year before by incidents of teacher picketing and threats of resignations at a few individual schools.

In general, according to a comprehensive school personnel study conducted by a New York University team at the request of the Board of Education in 1966:

Regardless of the source consulted, one discovers a sense of dire need, urgency, and at the same time utter frustration. Much has been said about im-

proving the personnel function of the city schools, yet little has been done. The responsibility for the personnel function is divided to such an extent that no one individual can be blamed for the present situation. In spite of all the talk, all the reports, and all the money spent, the overall personnel situation worsens from year to year.¹²

Martin Mayer has depicted the consequences in more vivid terms:

The hope for leadership has been disappointed so often that people have turned in upon themselves, learned to live with meaningless and fantastically detailed rule books, lost any sense of the possibilities outside the narrow structures of the hierarchy of jobs. . . .

Like the former Chinese gentry, New York school administrators are ranked in a rigid hierarchy of status, achieved through the passage of Confucian examinations which fail to measure either the intellectual or temperamental qualities needed for the job.¹³

TEACHER SELECTION

The only way one can be licensed to teach in the New York City school system is to pass an examination. This is in contrast to the procedure in other districts, where the entrance doors for a candidate consist only of state certification requirements¹⁴ and a personal interview.

Recruiters for the New York City school system cannot make strong commitments to promising candidates since all applicants must be referred to the Board of Examiners. There, the standards and procedures are highly ramified. The Board of Examiners is an arm of the Board of Education and is, in State law, designated to examine applicants and prepare eligibility lists from which candidates are appointed to positions, for the most part, according to ranking. The Examiners develop and administer — subject to criteria which may be set by the nine-man Board of Education — examinations to essentially all personnel in the system: teachers, supervisory and administrative personnel up to the rank of assistant superintendent, guidance counselors, school social workers and psychologists, school psychiatrists, attendance officers, and school secretaries. Altogether the Examiners screen candidates for over 1,000 separate licenses and administer tens of thousands of examinations each year.

At the classroom-teacher level there are two categories: regular and substitute. Regular teachers are those who have met all requirements and passed a regular teacher-licensing examination. Permanent substitutes (as distinguished from per diem substitutes only) have full-time continuous classroom responsibilities in one school. They are not fully qualified and have not met all requirements but have passed a less demanding substitute's examination.¹⁵ Examinations for substitute licenses are given several times a year and processed usually within a month, while examinations for regular licenses are given far less frequently (annually, semi-annually, or biennially) and take up to three months and sometimes longer to process. Most regular teachers enter the system as substitutes. In October this year, the Board of Education experimented with a "walk-in" examination in which qualified applicants were able to be tested and approved for substitute teachers' licenses all in one day.

Licenses vary further according to school level and to subject matter. Thus, a regular examination is given for teaching high-school mathematics, a substitute examination for high-school mathematics, and regular and substitute examinations for teaching mathematics in junior high school. Each is separate, and most of them are exclusive of the others.

Therefore, a prospective teacher who has competency in both English and social studies, and who has met all subject-matter and education-course requirements, may have to begin his teaching career licensed only as a substitute to teach social studies in the junior high schools. If a regular examination in either field is not to be given for several months, or even a year or two, the teacher, if he wishes to begin teaching soon, must take a substitute's examination.¹⁶ Although the written part of the substitute's examination makes no attempt to measure subject-matter proficiency, and the oral part may or may not, passage permits the applicant to teach only social studies. This holds true even if his college transcripts show that he is also prepared in English. To teach English, he would have to take a separate examination. Further, to teach either subject under a

substitute's license in the high schools, he would need to take still more examinations, which are essentially indistinguishable from the junior high substitute examinations. After all this, he must take the regular examination when it is given. Taking each of these examinations requires filling out similar, and sometimes even duplicate, forms.

None of these procedures necessarily insures the competency that the license implies, for significant numbers of teachers are teaching "out of license." Especially in the shortage fields of mathematics and science, teachers are teaching subjects for which they are not licensed and often at a level for which they are not licensed. For example, it is not unusual to find someone with a substitute's license in "common branches" (the general license for elementary school teachers) to be teaching mathematics in the junior high schools.¹⁷

Rationale for Examinations

The complex examination procedure for appointment as a teacher in New York City rests on two major premises. One is that it guarantees against hiring or promotion on any basis (favoritism or bias, for example) other than merit. The other is that it assures a supply of qualified and selected teachers.

The first argument, which has real historical roots, is no longer valid in the face of other guarantees against nepotism or the spoils system. By now New York State certification standards are among the most demanding in the country. The State Commissioner of Education has broad powers to intervene on his own initiative as well as on appeal in cases of unqualified staff and other violations of standards.

The Panel holds with others in the belief that the justification of the examination system as a means of protection against political influence in hiring and promotion is outmoded.

In an extensive study of the New York City schools Strayer and Yavner said in 1951:

*Any view that an examining board exists primarily to keep out of the system incompetent persons who might have obtained employment under a political spoils system is several decades behind modern thinking in public personnel administration.*¹⁸

More recently, the current president of the New

York City Board of Education, while advocating substantial changes rather than abolition of the Board of Examiners, said:

*A cardinal principle that needs no reaffirmation is that the merit system must be protected completely. But some fear that any changes must violate or abridge the merit system. Such simplistic reasoning requires no comment.*¹⁹

The argument for assuring a supply of qualified teachers does not hold up in the face of the supply-and-demand problem and the present profile of the teaching staff. Some one-third of those teaching in the system are substitutes who have not met New York City minimum qualifications.²⁰ The proportion of regular teachers has declined steadily from 86 per cent in 1957 to 67 per cent in 1966.²¹

Some substitute teachers do meet State standards, it should be pointed out; it is only by New York City standards they are not fully qualified to teach, and yet they are in service.

Many substitute teachers do meet State requirements and also fulfill all the New York City course requirements, but for a variety of reasons choose not to take the regular licensing examination — the ability of substitutes to move freely from school to school within the system; increased "take-home" pay, since substitutes do not contribute to a pension fund; or reluctance to spend the time and effort required by the examination procedure.²²

Perhaps more indicative of a possible qualitative defect in substitutes is that they can teach without having done any practice teaching.²³ And practice teaching is widely considered an essential preparation for teachers.

Limited Recruitment

There is strong testimony that the system discourages applicants:

*... in a period of time when the demand for qualified teachers far outnumbers the supply and when neighboring communities select teachers much less rigorously, frequently on the basis of an application and a brief interview, applicants for teaching positions are, at times, reluctant to undergo the several parts of our examination system.*²⁴

Exclusive reliance on examinations also prevents the use of new approaches to teacher selection that are being adopted in many school districts.

The failure to attempt some of these approaches excludes New York City from both the growing national trend toward reciprocity in teacher certification and from a more flexible and sophisticated method of certification.

One possible approach for New York might be reliance on certain college and university programs for evidence of qualification. The teacher-education program of the City University of New York, for example, is designed to prepare teachers according to New York State requirements, and also develops recommendations on each graduate to help school districts to which he applies to evaluate and to assign him. Despite the fact that 60 per cent of the city's public-school teachers are graduates of the City University,²⁵ the New York City school system does not recognize the City University program per se as qualification for a license. Regardless of the university's recommendations on each student, he is required to enter through the prevailing examination and assignment system. In addition, there are a number of other respected graduate teacher training programs (Harvard's Master of Arts in Teaching Program, for example) which the New York State Education Department recognizes as sufficient for certification, but which the New York City system does not. Other instruments for certification might include the National Teacher Examination and standard proficiency examinations (such as the Modern Language Association foreign language tests) in lieu of course credits, or recognition of such experience as teaching in the Peace Corps or VISTA.

While New York State has been a leader in these areas, and while the New York City Board of Education has itself advocated such approaches, the actual practice of the New York City school system severely inhibits change in these directions.

Teacher Mobility

Substitutes, who cannot acquire tenure in the system or in any particular position they hold, account for most of the horizontal movement in the system.

Regularly licensed teachers are eligible for tenure after three years service, and few fail to receive it. Tenure means tenure in the specific position at

the specific school in which one is teaching. Horizontal movement by regular teachers is governed by complex rules of transfer and by union contract transfer provisions, which are based on seniority rights. Basically, the contract requires a teacher to have been in a school for five years to be eligible to transfer. Transfers are permitted only up to a rate of 5 per cent of the staff in each school and in the system as a whole.²⁶

PROMOTION

Promotion in the New York City school system is a slow and difficult process, even more discouraging to outsiders than teacher appointments. For most teachers who rise to administrative positions, it takes at least eight years (one-third of a teaching career before eligibility for retirement²⁷) before the first formal promotion. To be eligible to take the examination for assistant principal, a teacher must have five years of teaching and one year of graduate study. Then about two years elapse between application and announcement of examination results. Actual appointment to an assistant principalship might take a few days or as long as four years — and from time to time has taken even longer.

To be eligible to take the principal's examination, one must serve as an assistant principal for two years.

In the elementary schools, both the assistant principal's and the principal's examination result in ranked eligibility lists. The Superintendent of Schools must make appointments from the top three on the list. Lists for the junior and senior high schools have never been ranked, so selection is made on the basis of other evaluations as well as scores.

To pass the examinations themselves requires a particular expertise which favors applicants bred in the New York City system.²⁸ The examination involves a nine-hour written test, an observation by examiners of the candidate's supervisory abilities, and an interview. In addition, there is a rating of training and length of experience, which inevitably favors older applicants. In order to pass these hurdles, candidates are advised by other professionals to take special "coaching classes," which are offered at fees of several hundreds of dollars

by those who have passed the New York City examinations.

The New York University report on *Teacher Mobility* concludes that the system rewards

those with 'stick-to-it-iveness,' (those who) plug along, voraciously swallowing every exam that comes along, and become administrators; those who 'know the system' and 'speak the language' become administrators; the remainder, good and bad, with little success in either passing exams or knowing the system, are denied advancement and fall by the wayside. The school system feeds on its own kind, and many potentially good administrators are lost as a result.²⁹

PERSONNEL UNDER DECENTRALIZATION

Within state laws and standards and union contract obligations, Community School Boards should have broad discretion in the selection, recruitment, assignment and promotion of professionals and nonprofessionals.

No person holding a tenured appointment in the school system when the reorganized system goes into effect should be transferred out of a district without his consent. All currently tenured supervisory and administrative personnel should retain salary and rank, but not necessarily their present assignment.

For staffing schools under its jurisdiction and for districts that wish to use its personnel services, the central education agency should continue to recruit candidates and maintain lists of men and women qualified for appointment and promotion.

Since the highly centralized and restrictive entry and promotion policies of the existing system would be supplanted by different policies under the Community School System, the agency for the present policy, the Board of Examiners, should not be continued under the new system. This is a decision that has been urged in a number of major studies of the New York City school system for at least twenty years.³⁰ Now, with a newly reconstituted system, there is even more reason to dispense with Board of Examiners. The Community School System's central education agency should, however, establish a Professional Manpower Division to handle central recruiting and certification

needs and to meet such personnel services as Community School Boards may request.

TEACHER RECRUITMENT

Teachers and other nonsupervisory professional personnel should be hired by the Community School Board on recommendation of the community superintendent and his staff. A board would have many alternatives. It might wish to take advantage of lists of personnel maintained by the central administration, conduct recruiting itself, employ the teachers union's recruiting capability, or contract recruiting to a university or other outside agency. In any case, to afford districts the widest possible pool from which to choose, they should be limited only by the requirements that teachers meet State certification standards and that appointments be competitive—i.e., that candidates be examined (by interview or test or both), and a record maintained of the criteria on which they were employed or rejected.

Districts should be free — as are other school districts in the State — to petition the State Commissioner of Education for alternative means of certifying teachers. These could include use of certain approved college and university programs with internship provisions, the National Teacher Examination, and teaching experience in the Peace Corps or VISTA. Similarly, the district should be responsible for certifying salary differentials based on graduate credits, with the central agency providing additional resources for checking credentials and for facilitating transfers.

TENURE

Tenure should be awarded by the community on recommendation of the community superintendent. He in turn should carefully consider the evaluation of teachers by their fellow teachers and by their principals, who should in turn take into account parents' views of probationary teachers.

Tenured teachers recruited from other districts in the city should carry tenure rights with them.

IN-SERVICE TRAINING AND SPECIAL PROGRAMS

The district should determine the nature of its in-service training programs, but the central agency

should offer technical assistance, courses, and such special programs as the Intensive Teacher Training program. The central agency should also observe and comment on district training programs, especially those governing probationary teachers, and urge the adoption of sound internship programs in cases where it finds training inadequate.

However, the Community School Districts' discretion and flexibility would open a wide range of opportunities for the strengthening and development of staff. Since they would not be bound by staffing patterns determined centrally, they could experiment with new professional roles. For example, the post of faculty coordinator, with no duties other than working intensively with new teachers, could be created, or teachers could be relieved of some classroom duties in order to train paraprofessionals for tutorial roles. Teachers could be awarded fellowships for university work, or for internships in other institutions, in return for personnel from the receiving agency.

ASSIGNMENT

The present assignment system would not be practicable under the proposed reorganization.

Regularly licensed teachers are currently appointed to schools by the central Bureau of Personnel.³¹ A teacher, however, may refuse an appointment with reason and wait for a more preferable placement. Not infrequently and generally unknown to the central Personnel Office, such teachers do not appear at the opening of school in September — particularly in schools in low-income areas. In such cases, the principal is usually able to scout around and recruit a permanent substitute. Occasionally, however, a school may not be fully staffed.

Under reorganization, assignment to district-operated schools would be based on requests from the community superintendents, who should have the right to select or reject from centrally maintained lists, from applicants currently serving in other districts, or from other sources.

Substitute teachers are currently assigned to district offices on the basis of subject-area need, substitute vacancies, and borough of residence.

They are able to switch schools with considerably more ease than regularly licensed teachers. Under reorganization, each district would be responsible for its own policies with regard to substitute recruitment and assignment. The central agency may continue to identify and maintain lists of substitutes, but could assign them to a Community School District only at the request of that district.

COLLECTIVE BARGAINING

While the Panel is convinced that this plan of decentralization offers enlarged opportunities for the city's teachers as a whole, it has made no attempt to make a detailed comparison between the plan here presented and the existing agreements between the Board of Education and the United Federation of Teachers. We believe that as a Community School System is established, both sides will wish to propose modifications in the existing contract, and we believe that in large part such modifications would be in the interest of both sides. But it seems inappropriate for us to preempt the processes of collective bargaining and no such effort is made in this report.

ADEQUATE STAFFING

Currently the quality of a school's staff depends as much on the caliber and reputation of the principal as it does upon uniform citywide practices of the central Bureau of Personnel. The bureau generally respects the mutually stated preference of principal and prospective teacher. Further, principals are generally permitted to retain (again, on the basis of mutual preference) new teachers who have done practice teaching in the school and substitute teachers who receive their regular licenses there.

Although middle-class schools have less difficulty attracting and retaining teachers, several ghetto-area schools with strong principals have waiting lists: P.S. 192 in Central Harlem, which has a reputation for progressive programs, attracts many teachers. In setting up the new I.S. 201, the first principal attracted one of the most impressive faculties in the city and was forced to turn down many other applicants. Although Dr. Elliott Shapiro has not been principal of P.S. 92 for two years, his ability to build community support and teacher enthusiasm is still bringing teachers to the school.

The experimental districts in East Harlem and the Ocean Hill-Brownsville section of Brooklyn, as well, have more applicants than they can hire.³² Selected schools that are in less "difficult" areas but are still sufficiently burdened with problems to be designated "special service" schools, share similar staffing experience — P.S. 1 in the low-income and polyglot Lower East Side and Joan of Arc Junior High School on Manhattan's variegated West Side are two examples.

However, most schools outside middle-class areas are short of fully qualified teachers, since teachers can effectively refuse placement to a school in which they do not want to teach.³³ Under the central placement system applicants who are not satisfied with their assignment often turn to other school systems; thus the overall shortage of teachers in the system is increased. This is especially true of applicants from outside the city, who know only the official entry procedures. On the other hand, many of their New York counterparts know how to circumvent the central Bureau of Personnel and obtain assignments directly from principals.

Several aspects of the proposed decentralization should increase the chance that so-called "undesirable" schools will be adequately staffed:

- The school and community climate should improve through greater community participation and strengthened cooperation among school personnel, parents, and other community residents and institutions.

- A wider pool of applicants will be available, since community boards will be able to hire teachers who meet state certification standards but who have previously been deterred by the central Board's examination procedures.

- Districts will have more latitude and flexibility in innovation and experimentation.

- Applicants, especially those from outside the city, will be able to apply to more than one district in the city, and to the central agency as well, rather than using the single entry route at the central level.

SUPERVISORY PERSONNEL

The basic premises of local choice and citywide advantages which were outlined for teachers

should underlie promotion and appointment in the administrative and supervisory ranks as well.

The reorganized system should allow a broadening of the concept of merit and qualification for educational leadership, opening the system to more talents and ability, both from within and without the system. A recent report on studies of the qualities of educational leaders, for example, indicates that formal course work, age, length of service in a school system, and prior school administrative experience — factors given heavy weight in the present New York City system of promotional examinations — bear no positive relationship to the ability of a principal to improve the quality of staff performance.³⁴ The report states further:

... if Executive Professional Leadership is to be the criterion, many school systems are selecting principals on grounds that appear to have little empirical justification: type or amount of teaching experience, experience as an assistant or vice principal, number of undergraduate and graduate courses in education, number of graduate courses in educational administration, sex, and marital status. On the other hand, characteristics that should be preferred in appointing the elementary principals are: a high level of academic performance in college, a high order of inter-personal skill, the motive of service, the willingness to commit off-duty time to his work, and relatively little seniority as teachers.³⁵

Eligibility for a supervisory position should be governed, as in the case of other professional jobs, by State standards or alternative standards developed as the districts may determine with the approval of the State Commissioner. Districts, in such cases, should clarify objective criteria for selection under their promotional programs. On the other hand, some districts may wish to use centrally prepared lists as sources of candidates for appointment to supervisory positions. Therefore, the central education agency's Professional Manpower Division should continue to maintain such lists. However, the ranking of candidates should be abandoned for all positions as it now is for the positions of high school and junior high school principal. A ranked list would be inimical to the principle of the freest possible choice for districts.

Moreover, the basis of examination for supervisory positions should be enlarged to give emphasis to performance. As the president of the Board of Education said in his report:

... current practices concentrate unduly on paper and pencil tests and appear to give insufficient weight to appraisal of administrative performance on the job. The selection process should emphasize in greater measure leadership qualities, sensitivity and the ability to relate to people in addition to appropriate educational qualifications. A lesser value should be given to localized knowledge.³⁶

The new system should open competition wider to those within the ranks and those in other school districts, inside and outside the city.

The removal of screening rigidities for supervisory personnel should open the way to new consultative roles for teachers. In order to make the award of tenure a more thoughtful process, for example, teachers and parents should be consulted, since a supervisor's ability to work well with his colleagues and the community should be among the criteria for permanent appointment.

Teachers in a school with a principal's or assistant principal's vacancy, therefore, might have an advisory role in the nomination of candidates. Similarly, teachers union representatives should be provided an advisory avenue to add their special insights to the process of identification and selection of supervisors.

A CONCLUDING WORD

Because the feelings of a number of able and dedicated men are deeply engaged, we offer a few concluding words in defense of the fairly sweeping recommendations of this section.

The Panel recognizes that the personnel policy here recommended may not win the support of all of those who have won their promotions in the past under the existing system. We have met repeatedly with representatives of supervisors and also with members of the Board of Examiners, and we know how deeply and honestly many of them believe in the virtues of the rank-list examination process of which they are a product. But we regretfully conclude that in this respect they confuse past values with present needs. We believe that in their own interests as supervisors, the men

and women now holding high rank in the system need the support of a better system of competitive recruiting.

For a process which had great protective value in an earlier time is now a critical limitation upon the ability of the school system of New York to reverse the current trend toward disaster. Centralized examinations with numbered rank lists are wholly inconsistent with the requirements of effective decentralization. The urgent need for such decentralization, the dramatic reversal of the balance between the supply and demand of qualified personnel, and the drastic change in the requirements for educational leadership today, all per-

suade us that it is time to abandon the present examining system.

We yield to none in our belief both in merit as the criterion for appointment and promotion and in competitive processes of selection. But we do not believe that the present system is the only available means of meeting these standards. New York State has many communities which select and promote their professionals as well as or better than the New York system does. What this city now needs is vigorous recruitment more than paper-testing, energetic executive judgment rather than promotion by survival and by exam-learning, and lively competition among revitalized Community School District administrations.

IV. FISCAL ASPECTS OF DECENTRALIZATION*

PRESENT SYSTEM

The central Board of Education has wide discretion over the expenditure of its funds. From 1962 to 1967 it has received annual "lump sum" appropriations from the city with the freedom to transfer funds between programs without specific approval from the Mayor or the Board of Estimate, though it must hold public hearings on transfers.¹ In 1967, this flexibility was modified so that alterations among the seven major programs² must have the approval of the Mayor and changes within appropriations must be validated by the Bureau of the Budget. But the Mayor's power to influence educational policy through this instrument is limited by the fact that more than 60 per cent of the budget is committed in one program category — Instruction³ — within which shifts are exempt from this review.

Budget formulation now is incremental, fragmented and unprogrammable. Approximately sixty headquarters divisions or bureaus submit budget requests for the areas under their jurisdiction; the requests are based on past expenditures plus increased student enrollment or for specific programs in particular schools.⁴ The budget is thus so fragmented that school headquarters has not been able to provide information on the actual expenditures for any individual school. "It is literally true that nobody knows how the money is spent," says

Martin Mayer.⁵ Without such data, the system cannot fully account to parents and district boards, and indeed this factor has been a continuing irritant to relations between the Board of Education and communities throughout the city.

Thus, there exists now a system with little accountability to the public — either to the Mayor or to local communities — on the way it allocates resources to meet the educational needs of the city.

Some changes are underway. The Board has employed a team of analysts, who are in the process of establishing procedures for a Program-Planning-Budgeting System (PPBS). They have painstakingly gathered from all available sources the information necessary to reconstruct school and district budgets for the past two years and estimates for next year, and their analysis will be available before the end of the year. They are also developing tools to assist in budget formulation at the school and district levels.

Furthermore, in its April 19, 1967 policy statement, the central Board called for the decentralization of the administration of certain minor budget items.⁶ The district superintendent has authority over a "lump sum" for minor maintenance and supplies (\$40,000-\$60,000)⁷ and for the allocation of personnel between schools (though the latter power is relatively ineffective in the face of teacher shortages, union contract restrictions on maximum

* This paper has been developed after extensive consultation with the Deputy Superintendent of Schools for Business Administration, the Board of Education's Program-Planning-Budgeting consultants and the director and staff of the city's Bureau of the Budget. The Panel is indebted to all of them but the opinions and conclusions expressed in this paper are those of the Panel.

class size, and the Board's subsequent directive that extra personnel should be put into kindergarten-through-second grade programs). Additionally, principals have been given a fund for "purchases of small value"⁸ (interpreted as under \$50). These steps are significant only in the perspective of a highly centralized system and of existing restraints. They would be inadequate in a system where accountability and responsibility are lodged in local boards. Responsibility must be matched with authority.

PROPOSED BUDGET SYSTEM

The goal is to give Community School Boards maximum control over their own budgets. This means:

- that the community boards should have the power and responsibility to determine needs, develop programs to meet them, and apportion available funds among the programs;
- that the central education agency comment, advise, and recommend changes in the community board's budget;
- that the total amount of money a community board receives each year should depend on the general relationship between needs and expenditures under a citywide objective formula for distribution, rather than on central program determinations.

This point is the heart of any proposal for budgetary decentralization. The power to modify the amount of money available to local boards is as effective an instrument of control as a veto, perhaps a more effective one. If central program reviews indicate that a district is not fulfilling state standards, then the central agency, together with the State Commissioner, may take action. Otherwise, responsibility for education should rest with the community boards.

ALLOCATION OF FUNDS

Citywide

The amount of state and city resources available for all educational purposes in the city is basically a function of taxing and appropriation decisions made by the Mayor, City Council, Board of Estimate, and State Legislature. It has been suggested by a current Local School Board member that a district's awareness of the amount of its allotment

— and of how much more would be its share with every increase in the citywide education budget—would increase the pressure on state and city officials by their constituents for increased attention to the educational needs of the city. If funds are distributed to districts on a formula basis, local self-interest can be pursued not by seeking specific handouts but only by attention to the citywide need. New funds or increases in the budget should be distributed equitably in correspondence with the formula.

The District Share

The task, then, is to determine how much of the total school system's budget is available for distribution to Community School Districts.

Money would have to be allocated from the total funds available to education for three main divisions — funds for the operation of central responsibilities including the office of the Superintendent of Schools, mandated services, and fixed costs such as debt service and welfare payments; for a central Quality Incentive Fund, and funds for the responsibilities of the Community School Districts. The Panel recommends, and has included in the legislation, that the central education agency submit a plan for the distribution of funds among these three divisions. The Mayor may approve or modify this plan.

It is essential that districts have sufficient funds for the normal operation of their schools and that they not be penalized financially when they prefer assistance from a university or other institutions to that of the central education agency.

Among the functions of the Temporary Commission on Transition is the development of a system that can reconcile the districts' freedom and their right of choice to request optional services from the central education agency, with the central agency's need to anticipate what that demand will be.

School Aid Formula

The total amount should be apportioned among the districts according to a 'school aid formula.'

As indicated earlier, resources are currently allocated to schools according to such centrally determined uniform standards as pupil-teacher ratio

aid per capita allotment for supplies and equipment. The need for additional resources in certain areas of the city has been recognized by uniform modifications of the standardized ratios.⁹ The modifications reflected the central Board's concept of a program rather than a variety of responses to the diverse needs and ideas of the district staffs and boards concerned. It has been argued that under a system of allocation to the districts the differential distribution of resources according to educational need could not be achieved. However, a school aid formula based on a system more sensitive to educational needs than a straight per capita allotment can be developed. There are precedents in the allotment of federal funds under Public Law 874¹⁰ and the Elementary and Secondary Education Act of 1965,¹¹ and the equalization correction factors used in the New York State aid to public schools.¹² On this basis, it is recommended that for the distribution of state and city monies a school aid formula which distributes a total appropriation to the individual districts be developed by the central education agency and approved by the Mayor. Of the three models for a school aid formula described below, it is the Panel's opinion that the first two models would distribute funds most equitably among districts.

Model One: 'Unit Need Formula'

The fraction of the funds available for distribution that would go to each local district would be determined by computing the fraction that district's unit needs are of the total of the unit needs for all the districts in the city. This is similar in form to the formula distributing Council Against Poverty funds.¹³

A study recently made for the New York State Education Department acknowledges that increased expenditure for schools is related to areas of low pupil achievement. The report indicates that certain socioeconomic indices, such as median income and percentage of unemployed, have a high correlation with high expenditure.¹⁴ Discussions with a number of persons involved in such studies indicate that a really sensitive formula is possible, though one has not yet been developed.

Under this formula a 'unit need' would be defined as the demand on the school system produced by one year of education for one child.

The relative needs of the various districts would be in proportion to the number of children according to average daily attendance or average daily register in each district, but factors other than the number of children in a district create demands on the school system: poverty, unemployment rate, linguistic deprivation, and the presence of gifted children. To account for these, the formula would be amended by adding in additional unit needs in the districts that need them. The additional unit needs would be computed as follows:

- to each factor considered relevant, an index number would be assigned which increases with a rise in the demand on the school system. The index might be simply the number of such children in the district. For linguistic deprivation, it might be the number, or percentage, of non-English-speaking families in the district;

- to each index number a weighting coefficient is assigned;

- the product of the index number and the weighting coefficient is the additional unit need resulting from each factor to be taken into account.

The key to the administration of this formula is clearly the values of the weighing coefficients which are assigned to each index number. The value of each weighting coefficient should reflect the extent to which, for example, poverty increases the demands placed upon a school district. An analysis of the correlation between low achievement indicators, high expenditure indicators and environmental data must be made in order to devise a sensitive formula of this kind. Persons at the Board of Education Division on State Aid have suggested a study which would compare distribution on four different bases: (a) based on average daily attendance; (b) based on average daily attendance weighted for different kinds of students (physically handicapped, etc.); (c) base (b) plus other weighted factors related to economic or achievement criteria; (d) present distribution. Development of the formula would also require a study of the reliability and relevance of available data and techniques for gathering additional data.

Such a study would require at least a year and cost anywhere from \$50,000 to \$100,000.

The benefits to the city could be great. Funds for educational purposes would be distributed with some real relation to need. Additionally, by sponsoring such a sophisticated study, possibly in cooperation with the State Education Department, state aid too might be put on a more realistic basis with additional funds coming to New York City.

Model Two: Foundation Grant and Special Aid To Deprived Areas

The basis for most state aid is a 'foundation grant' or a straight minimum per capita allotment based on average daily pupil attendance or registration. Under a decentralized system this could be the base of the lump sum budget for each district.

In order to put resources where there is the greatest need, the following correction could be made. Districts which had an unusual proportion of low achievement pupils (e.g. over 35 per cent in the lower quartile) according to a battery of city-wide standardized skill tests for reading and mathematics would receive an additional lump sum (reflecting the degree of need) with the following restraints:

- it must be spent on the children or schools which are the loci of the problem;
- it must be spent to improve achievement;
- the district must be held accountable, explaining how the funds were spent to improve achievement, or if achievement was negligible the reasons why.¹⁵

This scheme presumably could be modified to account also for services to gifted children. Or, alternatively, the statistical index currently used by the Board of Education to identify special service schools (reflecting pupil mobility, reading scores, percentage on Free Lunch, percentage with language handicaps) could be used to identify a district with greater educational need.¹⁶ In either case, it has the advantage of placing additional resources where they are needed and insuring accountability without restricting the districts to a specific solution.

It could be argued that this formula "rewards failure." However, accountability for the use of

the funds, central scoring or check on scoring, and parental pressure should mitigate against falsification or undue pressure on students.

Model Three: Standardized Ratios Allotment

This method would employ on a hypothetical basis the current central allotment based on standardized ratios in order to arrive at a total figure for each school or district. This total would constitute the districts' total allocation and district boards would have discretion to move items around and exchange them within the total amount to satisfy their decisions on instructional needs. (For example, they could exchange teaching or other personnel positions at set uniform rates for 'other than personal service,' i.e., funds for supplies, books, and so forth).

This might well be a good transition mechanism. Even in advance of such broad district discretion and obligational authority as the Panel proposes, the central Board is already in the process of providing local boards a consultative role in the formulation of their own budgets and district superintendents some discretion and obligational authority within, but not between, certain budget categories.

The difficulty is that such an allocation would be related to the central headquarters concept of specific programs or ideal ratios more than a generalized concept of need (though the two are not unrelated) and the money is more likely to get locked into centrally set operational standards. Another objection lies in the fact that requests now originate from central headquarters bureaus and divisions. Continued reliance on what would be hypothetical ratios based on central staff's estimates would necessitate maintenance of that staff at full strength, an expensive affair if the districts are really to determine their own programs.

Finally, the relation of the current distribution of funds under this system to low pupil achievement or other 'need' factors is not yet known.

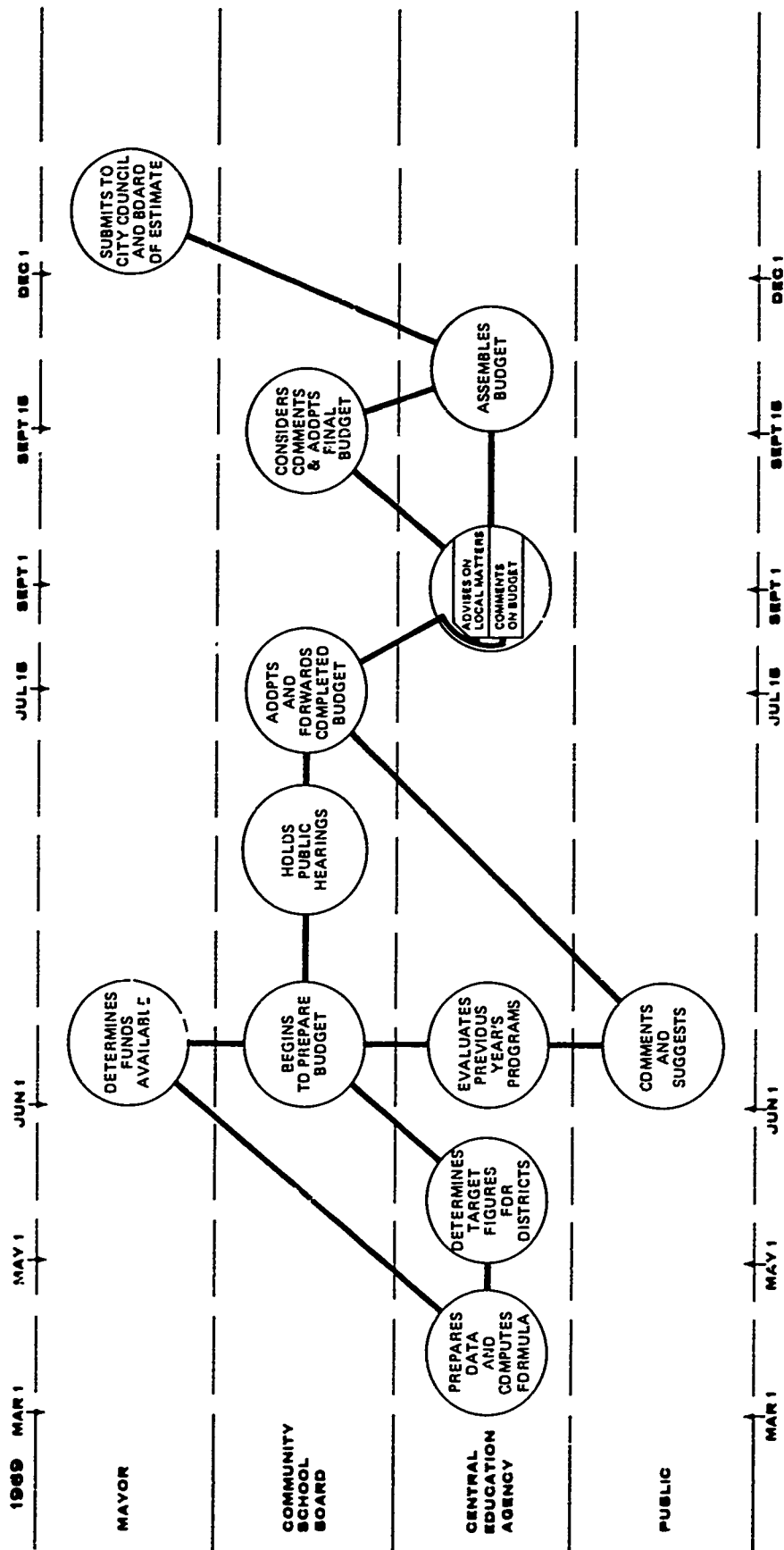
BUDGET PREPARATION

Tentative Timetable

A prototype timetable for budget formulation is depicted in Chart III, opposite, and described be-

Chart ID

BUDGET TIMETABLE (DRAFT)



NOTE: TIME SCALE IS NOT PLOTTED AS A MATHEMATICAL PROGRESSION

low. It is based on the expense budget only and is geared to fiscal year 1970-71, which we believe to be the earliest year that budget preparation under a decentralized system is feasible. The Bureau of the Budget anticipates that a comprehensive budget system will be implemented for the fiscal year 1969-70 in which case the timetable and procedures for submitting combined expense and capital budget estimate will have to be modified to accommodate it.

March 1969:

- The school aid formula will be completed and announced.
- The central education agency will collect the data to be used in computing the school aid formula and determining relative allocation to Community School Districts for the 1970-71 fiscal year.

June 1, 1969:

- The Bureau of the Budget announces the amount of money expected to be available for school purposes, exclusive of capital funds, for the 1970-71 fiscal year.
- On the basis of the Bureau of the Budget's announced figures, the central education agency, applying the school aid formula, determines the amount available to each local district, the amount of the Quality Incentive Fund, and the amount for mandated central services.

July 15, 1969

- Local school boards complete preparation of their budgets and hold public hearings. The budget approved by each local board is forwarded to the central education agency.

September 1, 1969

- The central education agency returns the budgets to the local boards with comments and suggested changes based upon Program-Planning-Budgeting analysis.

September 15, 1969:

- The local board evaluates the central education agency's comments at a public hearing and either adopts or rejects the central education agency's advice.

December 1, 1969

- The central education agency assembles the community boards' adopted budgets by pro-

gram, and forwards the package to the Bureau of the Budget. Together with the assembled budget, the central education agency will forward its comments on local budgets. The local board budgets shall stand unless the Bureau of the Budget sees fit to challenge them on the basis of the central education agency's comments. The Bureau of the Budget shall review the amounts set aside for central operations, the Quality Incentive Fund, and the formula for allocation to the districts before passing its recommendation to the Mayor.

Community School Board Role

The major responsibilities of the districts will include the following:

- Instruction for elementary, intermediate, and academic high schools covering all personnel, books and supplies, and administration;
- Minor and major maintenance, except for a fund (now \$3 million)¹⁷ kept centrally for emergencies;
- A major portion of the curriculum and research areas;
- Personnel administration;
- Business administration;
- Community and adult activities including after-school and evening centers (this should probably be administratively decentralized the first year, and full decentralized the second year).*

The Community School Board has the most critical role to play in the entire budget process, for not only will it determine target figures for each school, but it will also review the individual school budgets and determine the final allocations. Thus the community board will have the power to establish priorities among schools and programs.

As part of its crucial role in formulating its budget, the district must do the following:

- Develop budget preview for use in decentralized budget construction by individual schools. This budget preview should set forth proposed 'target figures' to govern individual schools in the preparation of their estimates.
- Review program planning and budgets of individual schools.

* See Part II, pp. 24, 42.

— Make individual school program evaluations after programs are completed.

— As Program-Planning-Budgeting becomes a sophisticated tool for analysis of education budgets, make cost/effectiveness and cost/benefit analyses by establishing an analytical staff and getting analytical capability organized.

— Coordinate long-range planning of expenditure requirements within context of annual budget structure.

Role of Individual Schools

One cannot foresee changes in school organization that might occur under any number of innovative or experimental arrangements in virtually autonomous districts. Such changes might render obsolete a system of budgeting on a building-by-building basis.

For example, a district might convert certain schools into science centers, or art centers, which children from many schools would attend, and the education or a substantial proportion of instruction would occur in such non-school buildings as museums and industrial plants that provide facilities and services to the district on a contract basis, or apartment houses.

However, meaningful decentralization should provide some positive mechanism for involving individual schools in the budgetary process. One plan would be to have budget preparation begin at the school level, each school preparing a tentative budget based upon target figures supplied by the Community School Board. This budget would be submitted in program terms and would be subject to the review of the community board. The preparation of a school's budget requests should be the occasion for school-wide re-examination of goals and objectives, by parents, teachers, and administrators of the school.

In addition districts might continue and increase the funds over which a principal has obligatory authority.

Role of the Central Education Agency

In addition to computing the formula and allocating target estimates to the districts, the central education agency should make its special skills and talents available to local boards.

The role of the central education agency will include:

(1) Collection of all necessary data and computation of the school aid formula for the allocation of funds to districts. This information should be made public and available to each district.

(2) Technical assistance in the development of financial aspects of program evaluation to school districts and training of district PPBS capability.

(3) Analysis and comments on district program budgets submitted.

(4) Annual production of citywide Program-Planning-Budgeting Survey with program breakdowns by school and district. This should be published prior to budget formulation at district level and made locally available to community boards and parent and citizen groups. This will be the source of citywide comparisons on effectiveness in the use of resources.

(5) The review of applications and making of grants out of a Quality Incentive Fund for innovative district or school programs, as an incentive to the adoption of central policy, and for the creation of the central agency's own training or other programs.

(6) The development of sophisticated measures of educational output and a PPB system. Program-Planning-Budgeting Systems are a relatively new instrument of budgeting for governments. At this stage PPB can assist in presenting alternatives in only the roughest possible manner. Educational goals—federal or citywide—have not been solidified or specified; measurement of outputs are also unsophisticated. Freed from operational responsibilities, the central education agency and its staff should concentrate on clarifying alternative educational goals and developing sensitive measures of outputs.

The central education agency's annual PPB Survey would require district programs and objectives to be publicly stated if for some reason they had not been heretofore. This would enable the community to know whether there are any gross discrepancies between its felt goals and those determined by the community board. To the extent that the central education agency's program planners make this report trenchant and effective.

a community board's poor progress relative to other communities would be on public display. Here the fact that all Community School Boards are surveyed on the same standards would be important; a community board would not be able to prevent its constituents from making direct and meaningful comparisons between local progress and that of other districts. Adherence to goals of the central Program-Planning-Budgeting System would not be directly enforceable by the central education agency since that would be inimical to the spirit of reorganization. Rather, accountability and responsibility lie with the community boards, and the process of selection of board members will be such that a local board cannot long remain indifferent to the wishes of its community.

The Quality Incentive Fund would be a pool of money assigned out of the general appropriation to the school system, for use at the discretion of the Superintendent of Schools with approval by the central education agency. The Superintendent should be able to allocate the Incentive Fund to Community School Boards or schools substantially as he sees fit and to attach conditions he considers desirable. The Incentive Fund could be used:

- To encourage districts to participate in programs that some boards might not rank high—inter-district programs to promote integration for example.

- To finance research and development of projects aimed at improving the overall level of the schools. The Fund should permit fairly significant experimentation with demonstration projects in selected districts which, if they proved successful, might be adopted by the Community School Boards. But the decision as to whether an experimental demonstration would be carried out in a particular district would rest with the community board.

BUDGET ADMINISTRATION AND EXPENDITURE

Once the final appropriation for the total education budget is made by the city (usually late spring) the central education agency should allocate the funds between the three divisions—central operat-

ing responsibilities, Quality Incentive Fund, and community school districts' responsibilities—according to the approval plan for such division. The districts' share of such appropriation should be allocated according to the formula for school aid. Upon receipt of its final appropriation, the Community School Boards would then be authorized to determine the specific schedules within their appropriation and to allocate funds.

Inevitably, with the time lapse between submission of budget estimates and the final city appropriation and with the shifts in needs inherent in the day-to-day operations of programs, it will be necessary for districts to shift funds from one category of expenditures to another. A district may want to convert a vacant position to other positions or to funds for supplies or special equipment.* Conversely it may want to shift funds originally set aside for supplies to create new positions. In any agency, the creation of new positions creates a future constraint on budget flexibility through the annualization of mandated expenditures for salaries. The Panel believes that the Community School Boards should have the freedom and the burden of responsibility for shifting funds within its appropriation from one category to another and for creating or closing positions. Part of the training and advisory functions of the central education agency should be to make the districts aware of the long-range implications of such shifts.

It has been argued that the central education agency should have authority to establish and enforce regulations regarding budget administration and expenditure. Where this refers to uniform procedures and voucher systems (including applicable laws on audit, payment of salaries, and other claims by the Comptroller), this is acceptable. Where it refers to procedures which would undermine the district's authority to shift and obligate funds to meet its educational needs, it is unacceptable. Without budget control, the district's authority to determine programs and to respond readily to district needs is jeopardized.

What sanctions are there, then, against misuse of funds? Under the new budget system district obligations and budget changes must be reported to the central education agency, and the Com-

* For a fuller discussion of vacancies and accruals, see pp. 63-64.

troller will honor only those vouchers that match such reports. Such obligations are part of the public record and should act as a powerful, if informal, sanction against misuse. A stronger sanction lies in Community School Districts' legislated authority and responsibility to provide education for the children in their schools and meet the requirements of state law, rules of the Regents, and regulations of the State Commissioner. When these requirements are not met, the central education agency, together with the State Commissioner, may intervene. Finally, and basic to the philosophy of decentralization, the majority of each community board is selected by the parents in the community it serves. Boards will be responsible for public proceedings and availability of information on expenditure, pupil performance and other aspects of school administration, and subject to reappointment every four years.

Though most auditing and accounting will be done by central headquarters staff, the district will still have the following important functions:

- Provide full financial reporting for school district and individual schools, utilizing central data processing capability.
- Establish essential fiscal safeguards.
- Emphasize managerial accounting to meet specific operating needs of individual types of schools.
- Transmit source data from individual schools into the administrative information system to provide a basis for the analytical process.
- Convert source documents from individual schools into machine readable form. Data should be transmitted into a central computer.

In order to carry out the functions in budget preparation and administration described above, the districts must have administrative funds and personnel. Reliance on central education agency capability alone would defeat the purpose of providing local boards with the authority to experiment with new solutions to educational problems.

TRANSITION AND REORGANIZATION

Inherent in decentralization and the budget system discussed above is a reorganization of the

budget and accounting functions. Such a reorganization must take into account the district's role in budget formulation, its obligational authority, procedures for central payment and audit, and the introduction of a Program-Planning-Budgeting analysis which requires the coordination of budget and management information.

The following are steps that must be completed before decentralization takes effect:

— Determination of the procedures and timetable for budget formulation and submission and the use of obligational authority preceding and immediately following the installation of community boards. This is needed to smooth the transition from the present system of timing and authority to one consistent with decentralization. It must include a study of the Board of Education's existing contract commitments for supplies and services in order to phase in the new procedures and new scheduling necessary under a decentralized system as quickly as possible.

— Analysis of budget to determine the location of Title I, II, and III funds of the Elementary and Secondary Education Act (ESEA), and their separation from state and tax levy funds. The education budget for central education agency operating expenses and the Quality Incentive Fund should come from state and tax levy funds exclusively. Under present law, ESEA funds are to be used for special programs for special needs;¹⁸ therefore, program applications for these funds should be treated separately.

— Analysis of the total budget to determine what portion is to be used for mandated central services and operating costs, what portion is to be allocated to the districts for their operating costs, and what portion should be set aside for the Quality Incentive Fund. This includes the development of request and budgeting procedures related to the central education agency's optional services.

— Development of school aid formula following, preferably, Models One or Two above* or any other model for an objective and equitable formula consonant with the spirit of the Panel's recommendations. This includes the establishment of procedures for district estimates of Weighted Average Daily Attendance or Weighted Average

* See pages 54-56.

Daily Register and the collection of data needed, and according to formula a comparison of distribution with current distribution to identify discrepancy.

- Development of management and accounting data requirements for the Program Budgeting Reporting System. Here, there should be high level synchronization of planning, budgeting, and management accounting systems so that financial reports and cost data provide adequate support for the Program-Planning-Budgeting analysis.

- Development of a reporting system, utilizing data processing. Budget changes and obligation must be reported centrally.

- Development of procedures, consonant with districts' obligational authority, for the accounting and payment of all personnel, materials, and services.

- Development of a system for request, budgeting, and payment of the central education agency's optional services such as purchasing, maintenance, curriculum development.

POTENTIAL PROBLEMS

DISCREPANCY BETWEEN CURRENT AND 'FORMULA' DISTRIBUTION

A problem inherent in the application of a 'school aid formula' is a possible marked discrepancy between the 'formula' distribution and current distribution (in absolute and percentage terms). A statement as to the existence and magnitude of such a discrepancy must wait upon the application of a formula, and information on current distribution. There are two solutions possible:

Ideally, the problem would be met by guaranteeing that every district be entitled to its 'formula' allotment. Any district for which current expenses are above that which they would receive under the formula would receive the difference from central funds. Over time, with new monies which may become available, the discrepancy would disappear.

However, the education budget, with both state and city funds, is very tight. It is unlikely that extra funds will be available to make up the discrepancy. Therefore the problem will have to be met by guaranteeing current distribution, so that no district is kept from operating existing pro-

grams. Over time new monies must then be distributed so as to reduce the discrepancy and approach 'formula' distribution.

PUPIL MOBILITY AND DISTRICT ESTIMATES

Any allotment to a district must to a degree be based on its pupil estimate, either by average daily attendance or average daily register. Budget estimates will be made on census data collected two school years in advance of actual expenditures.¹⁹ Difficulties arise in anticipating pupil register of a given district (and therefore the amount of the budget). This is due to mobility of pupils (so that the actual register of a district may shift as much as 1,000 students in a year), bussing-in for integration or for improved utilization, and the lack of comparability of districts over time because of boundary and zoning changes due to population shifts (especially major ones such as a housing project, new school, and so on).

The development of a sophisticated data reporting system combined with computer capability should facilitate updating and projections. Inevitably district budgets will have to be reduced when pupil registers drop. In the spring prior to the fiscal year a new school census will be available, state aid will be announced, and the final city budget will be passed. The change in pupil census (necessitating a revised computation of the formula) and the appropriation of the city education budget will determine the final formula allocation. Between the spring and September, districts must adjust their budgets to their final appropriation.

SUFFICIENT INSTRUCTIONAL PLANNING MONEY FOR THE DISTRICTS

If districts are to be a basis for innovation, it is imperative that they be financially enfranchised to seek help elsewhere than a single source, the staff of the central education agency. This means that there must be 'free money' above state, contract, and operating minimums for curriculum development, in-service training, and so on. At first blush, there are two alternatives:

- to bear the double burden of a central education agency staff which may not be fully utilized and give districts sufficient free money so they may seek services elsewhere; or

— to build in a credit system whereby central agency services are paid for out of district budgets when districts use them. There is a 'peaks-and-valleys' problem here, but it seems preferable, so that districts are not penalized for seeking help elsewhere. The development of a workable system is a key problem of the transition.

THE EFFECT OF TEACHER SALARIES ON THE DISTRICT BUDGET

One of the restraints operating on the districts in the course of budget formulation will be the salary scale and working conditions agreed upon in the union contract. Since teacher positions can be filled with people costing anywhere from \$6,750 to \$13,900,²⁰ the amount of money taken up with personnel costs will vary considerably from district to district. Those areas with a high ratio of experienced senior teachers will find a large proportion of the budget devoted to personnel costs. Other districts, with a high ratio of beginning teachers, may initially devote a smaller proportion of the budget to personnel, but over time will also have a number of highly paid personnel on their payroll.

Schemes suggesting the allocation of personnel positions, which would be paid for by the central education agency, have been suggested, but the Panel has rejected them on the grounds that this would reduce the Community School Districts' flexibility. If such a scheme proves to be the only feasible system, then districts must have the right to trade in or create positions beyond state and contract commitments at a standard citywide rate of exchange.

THE CENTRAL EDUCATION AGENCY'S CONTRACT COMMITMENTS

To emphasize that there is little flexibility in the current instructional budget it is often said that 90 per cent of the budget is "already committed." To a great degree this is true. Roughly 70 per cent of any district's budget will be used for personnel, many of whom are already tenured, and flexibility must be developed in the use of personnel and the use of vacancies above contract minimums. However, there are other presumed "commitments" which should become discretionary in the future. Under the present system, budgets for a given year

are formulated ten months in advance; but contracts for that year, for books, supplies, services, are often let eighteen or more months in advance.²¹ Hence, when the budget is formulated, a number of commitments for specific items have already been made.

Contracts affecting items and services used in the districts should be let only on the basis of district requests, so that the district, in effect, has made the commitment, and preferably after the districts have formulated their total budget.

THE DISECONOMIES OF ALLOCATION BY A SCHOOL AID FORMULA

Determining school district allotments by a school aid formula would introduce certain diseconomies. In a perfectly efficient system, the marginal increment in educational product would be the same for a dollar invested anywhere in the system. A formula implies that certain transfers of funds between school districts would not be possible. Thus, since some community boards are bound to make mistakes, some districts will be less efficient than others, so that the marginal productivity of a dollar of educational investment will be different from district to district. But that would be intrinsic in a system of virtual autonomy at the district level. It should, in fact, serve as a stimulus to competition among districts for greater educational productivity. Under the proposed system, district-by-district financial and educational data should be published by the central education agency as a spotlight on the performance of Community School Boards. In any case, a perfectly efficient system may be unattainable.

The loss of the theoretical economies of a centralized system is a reasonable price to pay for the goal of effective community participation in the educational process.

THE EFFECT OF ACCRUALS

Accruals are the savings made when budgeted expenditures are not in fact used. They usually result from unfilled staff positions. Under existing city budget procedures there exists the practice of mandated accruals to agencies based on estimated vacancies. In effect, the city tells each agency to leave a certain number of budgeted positions un-

filled. These accruals are used to balance the city's budget. The Board of Education meets its mandated accruals by balancing citywide all its vacancies—temporary or permanent. Under decentralization a system must be arranged whereby either such accruals are subtracted automatically before the formula allocation is made or accruals are parcelled equitably among the districts. In order to make additional savings when necessary, the city sometimes puts a freeze on the filling or conversion of vacancies. On such occasions, the freezes also must be equitably distributed among districts. Additional district savings, above and beyond those mandated, should remain with the district.

FEDERAL FUNDS

The federal government's share of funds for public education is growing. The channels and purposes of federal funds vary according to the legislation. Some are general formula reimbursements for such programs as School Lunches; others are small appropriations for particular projects in a limited number of schools, for example, Operation Second Chance for welfare mothers. One of the functions of the Temporary Commission on Transition should be to clarify responsibilities—for existing federal programs as between the Community School Districts and the central education agency.

Officials of the State Education Department believe that the formula for distribution of funds under federal guidelines for Title I of the Elementary and Secondary Education Act could be applied just as readily to the Community School Districts as to the system as a whole. Since Title I is an important source of new funds for innovation, we believe the Community School Boards which are eligible should apply for and administer funds under this title.

The control over other federal funds, present and future, should be determined both by the purposes of the federal acts and the allocation of responsibilities under the Community School System.

CAPITAL BUDGET REQUESTS AND CAPITAL CONSTRUCTION

An integral element of an instructional program is

the space available in which it is to be carried on. Limited resources (approximately \$150-175 million is appropriated annually)²² and the time required for actual planning and construction, coupled with in-migration, have left the city with a number of extremely overcrowded schools. It is important that the acute need for more space not be allowed to increase through excessive delays in planning and construction. Through formal channels the local school board's role in capital planning has been generally one of frustration.

Because of the need for citywide responsibility for long-range planning and for determining need priorities between districts, the Panel recommends that the central education agency retain responsibility for capital planning. In order to build capability at the district level and to insure that the community board has an effective voice from the beginning in school construction within its district the following is recommended:

DETERMINATION OF NEED

In order to facilitate a more objective basis for determining citywide priorities on school construction, it is strongly urged that a citywide 'needs analysis' be made based on existing capacity, building conditions, and population projections. The analysis should not be made in terms of a preconceived building plan or school organization. Public hearings should be held in each district before it is made final.

Before developing the capital budget requests the staff of the central education agency should meet with each community school board and discuss alternatives for meeting the district's needs. This parallels and should operate in coordination with the relation of the community planning boards to the City Planning Commission. On the basis of its field work and own analyses the staff of the central education agency should develop a capital budget request which states the citywide priorities, in reference to the needs analysis, and the priorities within each district to present to the central education agency. Districts must have the right and time to express their disagreements or present an alternative building program. The central education agency should make final determina-

tion, though it must publicly explain its rejection of a district's case. The local board shall, as it does now, have the right of appeal to the other governmental agencies concerned with capital budget (Bureau of Budget, City Planning Commission, Mayor, Board of Estimate and City Council).

SCHOOL PLANNING AND RESEARCH DIVISION

The School Planning and Research Division should be reorganized and strengthened so that in developing capital budget requests staff members should, from the beginning, work directly with the Community School Boards (and community planning boards) in establishing district priorities.

SCHOOL ORGANIZATION

Because school organization, the grouping of ages, is an integral part of instructional and curriculum development, the Panel feels it is essential that the community board have the power to determine school organization within its district for Grades K-8. The Board of Education has already established a policy of four-year high schools. Because high school attendance zones may cross district lines, it is recommended that future capital planning take into account the desideratum of having four-year high schools in districts throughout the city.

CLASS SIZE, FACILITIES PER PUPIL OR PROGRAM, SCHOOL SIZE, COMMUNITY SPACE AND USE, FURNITURE

These have important implications for the instructional program of the school, but they also have a direct relationship to the cost of the school plant. Certain minimum standards or ranges of choice, with accompanying realistic cost estimates, should be established centrally.

Districts should have the right to come up with an alternative plan and cost estimate within a reasonable timetable. Both plans should be expressed in program terms with an estimate of operating costs over time. Within the School Planning Division's cost estimate, the districts should be able to rearrange priorities and make alterations in standards so long as they do not violate state standards or city building regulations. Beyond the

School Planning Division's estimate, the central education agency must decide, though again the local board may appeal to the other city agencies.

SITE SELECTION AND ACQUISITION

Final determination of sites is made by the Site Selection Board.²³ To keep local school board hearings from being repeated exercises in futility and to facilitate a coordinated approach to city planning, the Panel recommends that site selection be initiated by a joint committee made up of representatives from the Community School Board and community planning boards concerned as well as staff members of the School Planning and Research Division and the City Planning Commission or Site Selection Board. Local board hearings on the recommended site should be transmitted to the central education agency and City Planning Commission; reasons for rejection by the Site Selection Board should be sent directly to the local board as well as to the central education agency.

PLANS AND DESIGN

Currently one of the great rewards to a local school board are the schools built with its participation; and one of the greatest sources of frustration is the imposition of schools over which it has had no control. Participation by local school boards in the design and plans for a new school is uneven across the city. The Panel recommends that the community board may suggest an architect to the central education agency, and that, once an architect is selected by the agency, he work equally closely with the local board and the School Planning and Research Division on the design of the building. Districts should also have the option of using plans prepared by the State Department of Education.

The community board must have the right to veto with formal justification a building which is clearly not meeting the district's requirements for program design within the funds available.

CONSTRUCTION

The Panel recommends that construction remain in the hands of the central education agency. However, the construction agency should be responsible to the Community School Board and give it a realistic timetable for completion. Delays should be justified to the Community School Board.

V. CONCERNS

In our discussions with groups of all sorts, we have found that the idea of vesting educational authority in communities throughout the city gives rise to a variety of concerns and fears. They spring not only from the normal uncertainty that attends change but from national and local social currents.

In suggesting means of attaining the goals of decentralization that flow from the Legislature's mandate, the Panel has included a number of safeguards against possible abuses and evils. These supplement the existing power of the State Commissioner of Education to monitor the performance of school district governing boards and to enforce adherence to the goals and standards of public education in the State.

The Panel is confident that together these safeguards are enough to insure against mismanagement of the public schools. Perhaps a far more basic, admittedly less tangible, safeguard than any laws and regulations, however, lies in the hope and trust that is the basis of these proposals — and indeed of the concept of lay control over public education throughout the United States — that most people who care are capable of working together for quality education.

We believe that old suspicions and antagonisms can in fact begin to fade away under the Community School System. In place of frustrations, parents, teachers, and others engaged in education

should now acquire effective, affirmative authority to make their proper contributions.

From the hundreds of men and women from whom the Panel heard, six main areas of concern emerged:

- That the concept of merit be protected and the way not be opened to a spoils system when the mandated central examinations are ended. This has already been discussed in Part III.

- That participation in the selection of Community School Boards be broadly based and not subject to domination by political or other factions.

- That Community School Districts, while building a strong sense of community, also retain identification with the city and the Community School System as a whole, avoiding provincialism and sectarianism.

- That teachers and supervisors be enabled to function free of pressures and practices that would compromise their professional integrity or personal security.

- That while responsible political concern for public education be strengthened, negative political interference be prevented.

- That the Community School System prevent further racial imbalance in the public schools and promote further integration.

ADEQUATE PARTICIPATION

Will Community School Boards be selected on a broad base of participation, or will they be chosen by factions?

One protection against domination by political clubs or other special interests lies in the provision that five of the eleven members of the community boards will be selected by the Mayor from a roster maintained by the central education agency.

Another is the fact that a substantial proportion of parents would be required to vote for the district panel that selects the six parental representatives. This provision raises the question whether it is realistic to expect a large number of parents to participate, especially in areas with a history of apathy toward the public schools.

Studies of political behavior in the last few decades suggest that the economic and social status of a community are more important determinants of participation in voting and in other community activity than other variables.¹ If so, lower income and less educated groups in many communities would not achieve leadership in school affairs, and efforts to activate their interest would fail. On the other hand, the theorists appear to agree that the better a social stratum is organized (whether by race, class, or residential area) under its own leadership the more politically effective it will be.²

Apathy is often the result not of lack of interest but of fruitless attempts to participate:

*When (participation) is frustrating, unproductive and peripheral to decisions, as is now so often the case in our American cities, what the citizen learns is that participation is not an efficacious expenditure of time, or that his views 'do not matter.' Consequently, tendencies toward civic apathy and political alienation are enhanced by the existing processes of citizen participation. Those who do continue to participate tend to internalize their participation, segregating it from other processes, maintaining cohesion through intensity, or even error.*³

Professor Preston R. Wilcox of Columbia University, a consultant to parent groups, has said: "A community can organize effectively around the process of educating its children."⁴ Under a truly decentralized, participatory system, the school itself⁵ could be the center of an organizational nu-

cleus which would encourage participation by parents no matter what their class or income. Indeed, voter studies have shown that where the proportion of working-class voters is highest within self-contained communities, the turnout of that group in elections is greater.⁵ The establishment of Community School Districts and the designation of individual schools as the basic units in the board-selection process are calculated to produce similar results.

Participation should be encouraged by specific measures during and after transition to the Community School System. Parents and community residents should be acquainted with the philosophy and practical thrust of the reorganization. Community education must emphasize that the new system provides channels for effective participation. At the same time, it must emphasize the responsibilities which accompany authority and clarify the rights and interests of professionals as well as laymen. While stressing the new flexibility and opportunities that the Community School System should offer, community education must also define the budgetary boundaries and contractual obligations within which the Community School Districts must operate.

Voting is not the sole measure of a participatory system. A decentralized school structure should encourage and create other means of effective parental participation.

One such means is mutual consultations between parents and the school principal and staff on personnel, curriculum, and other vital school matters, are discussed earlier.

Another should be job opportunities for residents within the Community School System. In addition to such existing jobs as teacher assistants, such new jobs as community-school liaison workers should be created. Training for these positions should be provided. Orientation of local residents and nonresident school personnel should be emphasized to increase mutual understanding. During the school year, there should be ongoing, in-service training for all school personnel and working residents. As another example, a workshop on school problems could include the principal, supervisors, teachers, and parents.

FEARS OF PROVINCIALISM

Some of the concerns the Panel heard about local election of Community School Board members reflected a deep-rooted fear of provincial interests — black power or white power, left wing or right wing. The present central Board and other citywide agencies, the argument goes, at least can embody pluralistic interests.

The Panel does not agree with the premise of these criticisms; the evidence before us confirms our own initial conviction that parents can be trusted to care more than anyone else for the quality of the education their children get. There may be errors and excesses, especially at the start. But we do not hesitate to put our trust in the collective good sense of the public school parents of New York.

Beyond the basic guarantee of this fundamental parental concern, there are other protections in the system. For example, a major safeguard against narrowness in a Community School District is the fact that the Community School System should overcome the very conditions — voicelessness, lack of access to authorities, and inadequate information about the schools, for example — that breed estrangement from spheres larger than one's immediate surroundings.

Elected Community Board members in some areas might well reflect provincial interests, particularly at the beginning. But within limits, fulfillment of highly localized interests may be a distinct advantage, giving residents a proprietary interest in the schools and enhancing the community climate and the motivation of children. Besides, it is not unreasonable that a district whose population is of predominantly Puerto Rican ancestry should spend additional school funds for Spanish-language instruction, or that a mainly Negro neighborhood should give extra emphasis to African culture or the history of the American Negro, just as long as the curriculum meets State requirements for instruction in all subjects. Many students of education hold, in fact, that it is pedagogically desirable for the curriculum to contain subject matter that is immediately relevant to the learner.

The proposed reorganization includes ample safeguards against any possible gross offenses to the public interest and the goals of public education. The monitoring functions of the central education agency and the ultimate powers of the State Education Department are strong and sufficient to check obviously dangerous parochial action — or inaction — that would violate basic democratic rights or principles.

Moreover, the Community School System would have other checks and balances:

The required system of reporting standardized test scores of children, and budgetary requirements for statements of Community School District goals, would open a district's performance and objectives to public and official view and to comparison with other districts.

The members appointed by the Mayor from lists approved by the central education agency should tend to balance any highly provincial representation that might occur on a board.

The potential for competition on the basis of quality and performance, which various features of the proposed system encourage, should be another strong safeguard against isolation. A district that suffered educationally because of provincialism would be likely sooner or later to reconsider its policies in order to improve its standing; the Panel does not believe that any community in New York City, regardless of how intensely it may cherish its own particular identification, is bent toward educational suicide.

Community School Boards could apply for experimental and innovative funds to outside public and private sources. This in itself would constitute exposure to wider influences and viewpoints.

Whether Community School Districts are closely identified with the school system as a whole will also depend to a great extent on the leadership and performance of the central education agency and the Superintendent of Schools. If they provide useful and relevant services and establish rapport with communities throughout the city, the components of the Community School System will acquire a strong sense of kinship in a federated system.

COMMUNITY-PROFESSIONAL RELATIONS

As the Panel stated at the outset, the central purpose of its recommendations is to reconnect all the parties with an interest in the public schools of New York so that each will have more constructive power, and so that contact with each other will center on cooperation, instead of suspicion or recrimination.

The Panel has heard expressions of anxiety that relations between the city's communities and the staff of the school system, which are far from perfect now, might deteriorate further under the Community School System.

Under the Community School System only duly constituted Community School Boards or their authorized agents would have the right to make any official determination of a teacher's fitness, and even then teachers would retain the same strong tenure rights they now have. Tenured teachers could be dismissed only for cause after standard hearings and appeals procedures had been followed. In short, the rights of a teacher in a Community School District in New York City would be no less than his rights today, or those of his colleagues in White Plains or Rochester.

Moreover, the Community School Districts would be required to adhere to salary and other provisions of any contract negotiated between the United Federation of Teachers and the central education agency.

Any personnel practices and policies that did violence to educational standards would be subject to review by the central education agency. Also, the State Commissioner of Education would retain ultimate power to remove a community board that violated its trust, in personnel practices as in other aspects of its responsibility.

Finally, under the proposed reorganization the Community School Board would be accountable to the parents in its community, and the Panel is convinced that parents will not long tolerate personnel practices that endanger the education of their children. This is a less formal restraint on corruption in personnel practices than the others, but it may be the most effective.

Underlying many of the concerns over the abandonment of the present system of examinations and lists is a fear of anti-white racism. That some antipathy toward white educators exists in predominantly nonwhite neighborhoods is plain. What its causes are and how pervasive it is are not so clear. Extreme racist sentiments are undoubtedly reflected in some antagonism toward white teachers. The imbalance in the system between white and nonwhite teachers is one cause. But perhaps the real issue is the dissatisfaction of Negro and Puerto Rican parents with the failure of their children to learn in the school system as it is now organized.

Whatever the causes, it is certain that once they have a voice in their schools some predominantly Negro or Puerto Rican districts will seek to staff them with more teachers and administrators of their own groups. It is not unreasonable, nor is it educationally unsound, to include knowledge of, and sensitivity to, the environment of pupils as criteria for appointment and advancement. If a district board believes that otherwise qualified Negro or Puerto Rican candidates are especially likely to meet these criteria, it would be justified in staffing accordingly. The Panel is unable to escape the conclusion that the New York school system will be a much healthier place when there has been a substantial increase in the numbers of qualified Negro and Puerto Rican teachers and supervisors. But we emphasize again that all appointments at all levels would be subject to the restraints cited above. And if one assumes, as the Panel does, that the interest of an overwhelming majority of all New York City parents is the quality of education in the schools, not the exercise of power for power's sake, then pressures for ethnic preference are likely to subside after the initial period of reorganization.

Also the citywide union contract would provide a basic floor of safeguards for teachers.

Finally, white teachers would be protected not only by law and contracts but also by the predominant concern for educational quality. Under a fully reorganized system, teachers would be in a particular school district because they chose it

and the district board chose them. As a result, the parents and other community residents would be likely to view its teachers more responsively than under circumstances where teachers are assigned to a district reluctantly and without any community choice.

These negative safeguards are important, but here as elsewhere we believe the real path to security and professional satisfaction lies in affirmative participation by teachers in the processes of the new system.

The decentralization of the school system would provide many such affirmative opportunities for teacher-community collaboration, especially through the United Federation of Teachers, which itself has reorganized on a local basis.

While retaining the authority to select new teachers a Community School Board could and should strengthen relations with its professional staff by consulting a committee of teachers for their professional judgment and for establishing criteria before making final decisions on candidates.

District plans for in-service training, internships, and other programs for new teachers during probationary periods also could be subject to the professional scrutiny of teacher committees.

Teachers could be asked to develop professional standards for granting tenure.

Expanded consultation with the union's district organization in professional decisions would allay fears of intrusions on the rights of teachers.

At the same time, the very form and scale of the Community School Districts should improve working conditions for the individual teacher. Most of the red tape which now constrains and disheartens many teachers should be eliminated. Communications with a headquarters in a system of 20,000 or 30,000 pupils would be considerably more direct than in a system of one million. Fewer directions and forms should flow from headquarters to the teacher. Purchasing should be considerably simplified, and a teacher's requests for special supplies facilitated. And a teacher should have fewer regulations to cut through when he wants to try any new educational procedures.

POLITICAL RESPONSIBILITY FOR EDUCATION

To isolate the schools from political power is to hold them responsible for much of the reform of urban life without representation in the shaping of urban policy.

—The New York Times, April 6, 1967

The Panel proposes that the Mayor have a somewhat greater responsibility for public education in New York City, both through his role in appointments to the central education agency and by his participation in the selection of Community School Boards as well. We recognize that this recommendation goes against much traditional wisdom among schoolmen and citizens and we think it right to offer a careful account of our thinking.

1. The public school in the United States is not only an educational institution but a governmental institution as well. The schools are financed through taxation and the law requires attendance to a specified age.

2. As a corollary — and as this whole report assumes — the schools, like every other governmental function, should be responsive to the citizen, and the public has a right to hold them accountable for performance.

3. Education is closely linked to current social problems and policies. While job opportunity for all is a general government goal, the ability to enter the economic mainstream is a direct function of educational preparation. And school authorities are required by law to consult with community groups and city antipoverty agencies in plans and expenditures for federally financed educational programs for disadvantaged areas.⁶ On both scores it is unwise for the whole educational apparatus to be in separate orbit from the political government of the city.

4. Finally, strong safeguards have developed against using the schools as a direct source of political patronage. In New York State, as noted earlier, requirements for certification of teachers and other professional educators in public school systems are now among the strongest in the country, and the State Commissioner of Education has strong appellate and initiative powers to intervene

against abuses of powers and offenses to the goals of public education.

There is ample historical reason, of course, for the notion of sheltering public education from the political process. In the early part of the century in large cities throughout the country, party politics played no small part in the appointment of school administrators and teachers, and there was little, if any, consideration of professional competence. The National Education Association at one time or another, and as recently as the late 1930s, chastised almost every city for its violation of sound practices.

Carried to its extreme, insulation of the educational component of government from the political arena has led many communities to the completely independent school system. In these systems the school government is separate and distinct from the city government, the school district has fiscal independence, and school board members are elected separately from other officials.

Recent studies indicate, however, that distance from city government does not necessarily remove school politics from the larger political arena.⁷ Both in Chicago and New York City, for example, mayors have had to take the decisive role in settling contract disputes between teachers' unions and the school system. Also, even though those school boards not responsible to city administrations are accountable to the more remote state education authorities, state authorities are not always immune to political pressures—especially in the twenty-two states where the chief education officer is elected.⁸ In such cases, though, the greater distance between a local board and the state capital serves as a buffer, and political pressure—and responsibility—is more diluted.

The exalted isolation of education from the political process has been challenged from within and without the education profession for at least forty years.

In a pioneering study of the Chicago public schools in 1928, George S. Counts, one of the deans of American professional education stated:

Rather than seek refuge in the cautious counsel of removing the school from politics, we should move forward under the assumption that the real busi-

ness of politics is to provide the channels through which the living energies of society may flow into new forms and patterns. The great desideratum . . . is to devise some means of making the school responsive to the more fundamental social realities and of enabling it at the same time to maintain an even keel amid the clash and roar of the contending elements.⁹

In their study, *Schools and City Governments*, Henry and Kerwin, a political scientist and an educator, respectively, at the University of Chicago, noted:

The politics with which the schools are beset . . . are infected into the school boards just as frequently by school boards as by representatives of the legislative or executive branches of political government.¹⁰ . . . No particular structural pattern of school and city relationships constitutes a dependable safeguard against politics in the schools. The evidence is that some dependent school systems are free from political interference while others are not; the same is true of the wholly independent school systems; and it is likewise true of school systems operated under intermediate degrees of municipal control.¹¹

They concluded that at least where control is exercised by the regularly elected public officials, school systems are subject to more immediate responsibility for their actions.¹²

Reappraisal of the concept has been growing especially since the Supreme Court's 1954 decision on school segregation, which required an evaluation of school policy and a deeper exploration of how the schools operate. Eventually, the question of responsibility for great disparities in pupil achievement arose. Civil-rights forces have raised the question most sharply, but so have others. Over the last decade public attention to education has increased and so has political activity in its support at all levels of government.

There is now an unprecedented demand for an accounting of the results of educational expenditures. At the highest level, a Committee on Assessing the Progress of Education¹³ is working to construct a "gross national educational product," with private financing and the blessing of the Secretary of Health, Education, and Welfare. At the individual school level, as this report has attempted to

show, parents are seeking both answers and a share in the educational enterprise.

Community decision-making studies by social scientists indicate that school politics have not been eliminated but merely internalized. As Thomas Eliot summarized:

As to what should be taught, generally the professionals are dominant. . . . Professional influence is usually preponderant in local districts where the school superintendent is, or can be, the leader of the school system. It is much weaker in the state legislature. . . . As to who should teach, the profession has generally sought state protection against pressures for local personnel and portison patronage. . . . As for the acquisition of sufficient funds . . . the decision-making rests partly in the school boards, partly in the local electorates, and partly in the state legislatures.¹⁴

Eliot concluded that any public agency making public decisions and spending public funds was by its very nature political and thus could not be removed from politics.¹⁵

The Gittell study on decision-making in the New York City school system attributes the lack of political responsibility for the education function of government generally to centralization of professional power, but adds:

Public participation in policy formulation is circumscribed by the lack of viable decision-making, the general shortage of information available to the public, and a deficiency in the means for participation.¹⁶

The current stress of changing urban populations has added a further dimension to the issue of political responsibility in education — the role of the schools in the solution of pressing social and economic problems. As Minar states:

. . . if political problems require political solutions, today's urban educational problems may best be treated through the community's recognized political institutions. . . . The situation that confronts urban education . . . seems to require political invigoration.¹⁷

And Dr. Donovan, New York City's Superintendent of Schools, recently said:

There is . . . a crying need for the public school systems of large cities to ally themselves with politics. . . . It is a political system which produces

the money for education in this country. It is a political system that passes the laws which govern basic requirements for the public schools, teacher tenure, tax limitations and other related matters. There is nothing shameful about politics. . . . Political life is an honorable one and a necessity in government. Public officials need the advice and consultation of public school representatives in order to understand the educational problems of the day and to take effective action to help the educators solve those problems. Relationships between the schools and public officials should be a continuing process of cooperative discussion and understanding of mutual problems.¹⁸

In calling for the creation of educational policy units for the New York City school system, the Legislature sought to provide more open channels of responsibility, and the Panel has followed through by its proposals for vesting decision-making in Community School Boards. In the same spirit we conclude that the system should provide strengthened responsibility for the Mayor, who is the most visible public official, who represents the whole city, whose actions are of necessity public, and who must present himself every four years for review.

Defining political responsibility for education in these terms — public responsibility and public participation — should ultimately produce a more equitable balance between professionals, parents, and the community, and unite all in working for the improvement of the schools. It should offer a wider choice of policy alternatives, a greater degree of expressed interests, and increased chances for change and adaptation in school policy. Democratic procedures would be enhanced by the public's ability to make judgments on the basis of increasing responsibility and to express its choices and interests when decisions are made.

RACIAL INTEGRATION

THE ISSUE

One special concern under any decentralized school system is that it may adversely affect the racial composition of the public schools by leading to increased de facto segregation. Such fears were voiced to the Panel primarily by white members of the community and professionals.

On the other hand the majority of Negroes, both

as individuals and representatives of organizations, told the Panel, in effect, that integration was at this moment less important in the public education of New York City than drastic improvement of the schools regardless of their racial or ethnic composition. They felt that efforts to date to improve racial balance in the New York City schools had failed.

All members of the Panel subscribe to the "central truth," as stated in the United States Commission on Civil Rights 1967 report, *Racial Isolation in the Public Schools*, that:

*Negro children suffer serious harm when their education takes place in public schools which are racially segregated, whatever the source of such segregation might be.*¹⁹

The Panel believes that integration should be preserved as a goal of public education, that the proposed Community School Districts should adhere to state and city policies on racial imbalance in the public schools, and that the proposed reorganization, if successful, can have a long-range effect in advancing integration.

BACKGROUND

Integration as a Necessary Goal of Policy

New York State policy on racial composition of the public schools is expressed in the 1963 statement of the State Commissioner of Education:

*...the racial imbalance existing in a school in which the enrollment is wholly or predominantly Negro interferes with the achievement of equality of educational opportunity and must therefore be eliminated from the schools of New York State. ... In keeping with the principle of local control, it is the responsibility of the local school authorities in such communities to develop and implement the necessary plans.*²⁰

The city Board of Education declared on December 23, 1954:

...modern psychological knowledge indicates clearly that segregated, racially homogeneous schools damage the personality of minority group children. These schools decrease their motivations and thus impair their ability to learn. White children are also damaged. Public education in a racially homogeneous setting is socially unrealistic and blocks the attainment of the goals of demo-

*cratic education. Whether this segregation occurs by law or by fact. ... It is now the clearly reiterated policy and program of the Board of Education to devise and put into operation a plan which will prevent the further development of such schools and would integrate the existing ones as quickly as practicable.*²¹

The extensive data of the Coleman Report in 1966²² reinforced the concept that, while "there is more to 'school integration' than merely putting Negroes and whites in the same building," integration should be expected to have a positive effect on Negro achievement. More recently, in October of this year, data from the White Plains, New York, schools indicate increased achievement of Negro pupils when integrated into predominantly white schools, without damage to the achievement of white pupils.²³

Ten Years of Effort

The Board of Education, since 1957, has taken a number of steps designed to reduce racial imbalance in the schools. Chief among these have been:

Rezoning and Voluntary Transfers

In 1958, the Board of Education made its first effort to relieve overcrowding by permitting transfers to underutilized schools. It began a voluntary program of shifting children from overcrowded schools in predominantly Negro or Puerto Rican areas to underutilized schools in predominantly white areas.²⁴ One of the first of the transfers, from two schools in the Bedford-Stuyvesant section of Brooklyn into five elementary schools in the Ridgewood and Glendale sections of Queens, met with heavy opposition from white parents. The number of transferees consisted of over 500 children in three grades.²⁵

Programs of transfers continued in elementary and junior high schools from Harlem to the Yorkville section of Manhattan. The Board of Education reported that by 1966 about 55,000 elementary students were transferred under the program.²⁶

Open Enrollment

Under this system, which was instituted in 1960 (and a later variant called "Free Choice Transfer"), Negro and Puerto Rican parents sent their

children out of racially imbalanced but not necessarily overcrowded neighborhood schools to designated predominantly white schools which had openings²⁷; some 22,300 Negro and Puerto Rican students were transported to schools outside their neighborhoods under the programs.²⁸ In 1964, open enrollment was extended to high schools as well. After seven years of operation, the Board of Education announced in June, 1967 that it was drastically curtailing the program because of lack of space and other problems.

Grade and School Reorganization

Under a policy adopted by the Board of Education in 1965, the school system began to shift from its traditional 6-3-3 grade pattern for the elementary, junior, and senior high schools to a 4-4-4 system.²⁹ Since integration efforts in the early grades had largely failed, the reorganization was an attempt to concentrate on the upper eight grades where, it was hoped, mobility would be less of a problem and there would be less opposition by white parents. Some fifty junior high schools have had their ninth grades shifted to high schools, and more than 20,000 pupils have been transferred; 47,200 remain in junior high schools.³⁰

By 1966 there were forty-three intermediate schools (the middle school of the 4-4-4 plan) in 22 of the 30 districts.³¹ Only three of them have fifth grades, however.³² Twenty-nine of the forty-three were segregated by the Board of Education's definition of segregation.³³ (The Board's definition of *de facto* segregation in elementary schools was 90 per cent or more Negro or Puerto Rican pupils, and 85 per cent or more in the junior and senior high schools. According to similar guidelines, there were 210 "predominantly white segregated schools" in 1966, as compared with 327 in 1960.³⁴)

School Pairing

In 1962, the Superintendent of Schools proposed a plan for the pairing of sixty schools under the Princeton Plan, in which student bodies in two ethnically different schools are distributed so as to require all the children in certain grades to attend one school, while the other grades go to another building. This would have reduced school segregation in the city by a fraction, but when the plan

was finally approved the number of schools had been reduced to eight (with two more partially paired).³⁵

Growing Racial Isolation

An advisory committee appointed by the State Commissioner of Education concluded in 1964:

... Nothing undertaken by the New York City Board of Education since 1954, and nothing proposed since 1963, has contributed or will contribute in any meaningful degree to desegregating the public schools of the city."³⁶

In 1954, the Negro and Puerto Rican population was 29 per cent of the elementary school population.³⁷ In 1964, minority youngsters comprised 50.5 per cent of the total.³⁸ On the other hand, however, while the number of segregated schools in 1954 was 7.1 per cent of all schools, by 1964 they were 25.3 per cent of the total.³⁹ Stated another way, the percentage of segregated Negro and Puerto Rican elementary school buildings more than tripled, while the nonwhite elementary population slightly less than doubled. The policy of building neighborhood schools created more, not less, segregation.

Thus, one of the salient considerations in comparing racial patterns under the existing system with possible effects of a reorganized system is the fact that racial isolation has increased steadily in the New York City public schools ever since the problem was officially reorganized.

The reasons are complex, and lie not only in the Board of Education's reversals in the face of opposition but also in the changing racial makeup of the city. Between the census of 1950 and of 1960, New York City lost 12.9 per cent of its white population, while the nonwhite and Puerto Rican populations increased by 47.7 per cent and 148.7 per cent, respectively.⁴⁰ Further estimates of the 1965 population indicate that between 1960 and 1965, the white population decreased by 5.3 per cent, that the nonwhite population grew by 25.3 per cent, and that Puerto Ricans increased by 22.4 per cent.⁴¹ The pattern is reflected in the overall composition of the school system; as of 1966, 29.3 per cent Negro, 20.9 per cent Puerto Rican, and 49.8 per cent "other."⁴²

Given these population trends, there is simply

no prospect at all that New York City can reverse the movement toward racial isolation in its public schools by tried methods of transfer and regrouping. It is logically conceivable that progress could be made by a much more massive process of transfer throughout the metropolitan area. Long-range solutions, such as educational parks, are still possible, but will not alleviate the immediate problem.

QUALITY EDUCATION AS THE FIRST NECESSITY

In these circumstances, the Panel is unanimous in its conclusion that integration in the New York City system is likely to come only after a drastic improvement in the general effectiveness of New York's schools. We believe that the flight of white children from the schools will be arrested and reversed only when the system as a whole has been so reinforced that a growing number of parents who have other choices will prefer to keep their children in the New York public schools. The flight from the system can be reversed only by a revolution in its present quality.

We are reinforced in this conclusion by the opinions of men whose commitment to the principle of integration is beyond question.

Dr. Kenneth B. Clark, the Negro psychologist whose brief on the damaging effects of segregation on Negro pupils undergirded the 1954 Supreme Court decision on school segregation, believes that in the present circumstances in the nation's large cities, integration must be deferred, though not abandoned, and strenuous efforts made to improve the existing system:

I am not willing to sacrifice kids while waiting for integration and while they attend criminally inferior schools.⁴³

The State Commissioner of Education was quoted recently as saying:

We all recognized, although we didn't say it as loudly, that we first must make the schools better wherever the children are. The Negro community realizes that integration is a long way off. In the meantime they feel that their kids get short-changed.⁴⁴

The emphasis clearly has turned from demands

for rapid integration to massive improvement of the ghetto schools. As Fred Hechinger, education editor of the New York Times, pointed out a few weeks ago:

Many educators...see an awakening of Negro parents to a more realistic assessment of education as the key to their children's future. These parents appear to be saying that, if demand for integration simply means chasing a rainbow, then the more realistic demand is for the best possible education.⁴⁵

OPTIONS AND SAFEGUARDS UNDER THE COMMUNITY SCHOOL SYSTEM

Though integration is a distant goal, we believe in avoiding any possible moves toward segregation—black or white. We are convinced that the proposed Community School System has adequate safeguards against any such moves.

The Community School Boards would have wide discretion in determining attendance zones and thereby affecting the racial composition of the schools. However, under the reorganization proposal, the central education agency would have the same power and the same duty as the present Board of Education has to attempt to rectify racial imbalance.

For example, if the central agency should reinstitute its open enrollment program, Community School Districts with empty school seats in mainly white schools would be required to receive Negro and Puerto Rican pupils from other districts. Similarly the central education agency could further integration policies through determining placement or size of facilities (including educational parks and Linear City arrangements).

Community School Boards might themselves take initiatives to improve racial balance in their schools. Some existing Local School Boards (in East Harlem-Yorkville and in Corona-Jackson Heights, Queens, for example), even though their powers are "advisory only," have taken small-scale initiatives to reduce racial imbalance.

The central education agency and the State Commissioner—as we have seen—will keep all their existing powers, including zoning, to advance integration. And the federal constitutional imperative bearing on all concerned would persist. We

are convinced that the people of New York State and New York City will continue—in the face of bigotry toward minorities—to insist on the great purpose of equality among the races, and that purpose requires, in law and policy, a resolute and persistent hostility to any form of enforced segregation.

The central education agency and the Commissioner will also be free to stimulate competition and to reward strong efforts by Community School Boards (cooperative arrangements with adjoining or more distant districts, for example), both by the

use of the Quality Incentive Fund and by assignment of state and federal funds. As in other areas, decentralization should encourage experiment.

But we repeat our view that the most important long-run value of these proposals, for the cause of integration, must be found in their effect on the quality of public education in the City of New York. Communities which achieve high levels of pupil performance—in schools that have a favorable climate for learning—will be the strongest possible magnet to draw *all* kinds of parents back to the city. And nothing less will do the job.

VI. DRAFT LEGISLATION

AN ACT CREATING THE COMMUNITY SCHOOL SYSTEM OF NEW YORK CITY*

Section 1. Application of Act

This act shall apply only to the school system of New York City.

Section 2. Central Education Agency and Community Boards of Education

There are hereby established a central education agency and community boards of education which shall be bodies corporate.

Section 3. Creation of Districts

Not later than November 1, 1968 the commissioner of education, after consultation with the temporary commission on transition established pursuant to section 20 of this act, and other interested persons, shall establish not less than thirty nor more than sixty school districts within the city of New York taking account, where practicable, of the following criteria among others:

- a. Sense of community among residents of districts;
- b. Community planning districts and areas designated as units for antipoverty programs and health and other service areas;
- c. School feeder patterns;
- d. Reasonable school utilization;

e. Minimization of school change for individual students resulting from redistricting;

f. Maintaining student population in each district in the range of twelve to forty thousand students; districts need not be equal in student population; and

g. Securing the maximum practicable diversity of student population.

Section 4. Revision of Districts

After an initial period of three years after the establishment of boundaries under section 3 of this act, the central education agency may revise district boundaries. Such revision may be on the central agency's own motion, if it finds such revision necessary to remedy imbalance in school utilization, to improve racial integration, or to improve the educational system of New York City, or on petition of a community school board desiring a revision in its boundaries. In any such revision the criteria established by section 3 of this act shall, insofar as possible, be observed. Any redistricting shall be subject to review by and may be reversed by the commissioner.

Section 5. Community Boards of Education

a. As soon as practicable after the effective date of this act but not later than April 1, 1969, the commissioner of education shall establish community boards of education in accordance

* This draft legislation removes New York City's educational system from Article 52 of the Education Law. However the provisions of Article 52 have been carried forward into the draft legislation to the maximum extent possible, with only those modifications necessitated by the changes in the basic school system recommended by the Panel in Part II of its report. All other provisions of the Education Law would continue unchanged.

with a plan for the composition and method of selection which shall have been submitted to him by the temporary commission on transition and approved or modified by him. Such plan shall call for an eleven-man community board in each district. Six members shall be elected by parent assemblies in each school in a manner to be stated in the plan and five members shall be appointed by the mayor from a panel of names maintained by the central education agency. The plan may permit the community board to select other non-voting members to achieve additional breadth of representation or additional expertise. Their term of office shall be stated in the plan, together with provisions for staggering future appointments.

b. After an initial period of three years after April 1, 1969, the commissioner of education may authorize a referendum in a district on any alternative plan for election of a community board which he believes appropriately reflects the interests of parents and nonparent community residents. The referendum may be held in response to a petition by the community board or by such number of parents or community residents as the commissioner may determine. In order to become effective, such an alternative plan must receive a majority vote of those voting. All district residents of age twenty-one or over may vote in such a referendum. Such referenda may not be held more often than once in each three-year period.

c. No person may serve as a member of a community school board unless he is a resident of the district, or the parent of a child attending a school within the district.

d. The community board shall designate its own chairman.

e. Members of community boards shall be entitled to compensation for expenses incurred, including lost wages, in attending board meetings, which shall be not less often than once per month. Compensation shall also be paid for expenses incurred, including lost wages, while engaged in pursuit of other responsibilities imposed upon board members by the board. Records of compensation paid pursuant to this subsection shall be maintained and shall be available to the public.

f. No member of a community board may serve until his designation has been certified by the central agency as meeting the terms of the plan pursuant to which the community board was established.

h. A community board must report at least once each year to parent assemblies and other community residents on the operation of the school district during the preceding year and on plans for future operation.

Section 6. Powers and Duties of Community Boards of Education

Subject to the provisions of this act, each community board of education shall have the following powers and duties:

a. To perform any duty imposed upon it by statute, by rules of the regents and regulations of the commissioner;

b. To create, abolish, maintain and consolidate such positions or divisions as, in its judgment, may be necessary for the proper and efficient administration of its work; to appoint a community superintendent and such other supervisory, administrative, teaching, and other personnel as it shall determine necessary for the efficient management or direction of the schools and other education, social, recreational, and business activities; and to determine their duties except as otherwise provided herein; selection of personnel may be from lists maintained by the central agency pursuant to sections 8d and 11c of this act or otherwise but shall comply with section 11 of this act;

c. To have the care, custody, control and safe-keeping of all school property within the district or other property of the city within the district used for educational, social or recreational work and not specifically placed by law under the control of some other body or officer, and to prescribe rules and regulations for the preservation of such property;

d. To lease property required for the purpose of furnishing school accommodations and to prepare and execute leases therefor;

e. To purchase and furnish such personal property, including textbooks, as may be necessary for the proper and efficient management of the

schools and other educational, social and recreational activities and interests under its management and control and to provide such property as appropriate to all the children attending the schools under the control of the community board;

f. To establish and maintain such free elementary schools, intermediate schools, high schools, kindergartens, nursery schools, and schools for adults at the elementary, intermediate, and high school levels as it shall deem necessary to meet the needs and demands of the district;

g. To maintain, within the district, playgrounds, recreation centers, social centers, reading rooms and libraries from such funds as the education law or other statutes authorize and the state appropriates for such purposes, and from such other funds as may be provided therefor;

h. To authorize the general courses of study which shall be given in the schools and to approve the content of such courses before they become operative; such courses must comply with standards established by statute and rules of the regents and the commissioner of education;

i. To authorize and determine the textbooks to be used in the schools under its jurisdiction;

j. (1) To prescribe such regulations and by-laws as may be necessary to make effectual the provisions of this act and for the conduct of the proceedings of said board, for the transaction of its business affairs, for the general management, operation, control, maintenance and discipline of the schools, and for all other educational, social or recreational activities and other interests under its charge or direction;

(2) To delegate such of its powers and duties as it deems appropriate to make effectual the provisions of this act and for the general management, operation, control, maintenance and discipline of schools, and of all other educational, social or recreational activities and other interests under its charge or direction to the community superintendent of schools or other supervisory personnel in the district or to the central agency or superintendent of schools. The persons to whom such powers are delegated shall exercise such delegated powers in the same manner and with the same force and effect as if such powers were given to such delegatee under the provisions of this act;

k. To maintain such records and make such reports as shall be determined appropriate by the central education agency and by the commissioner of education;

l. To perform such other duties and possess such other powers as may be necessary and proper to the conduct of the affairs placed under its management and control, to execute all powers vested in it, and to promote the best interests of the schools and other activities committed to its care;

m. To contract with other institutions or persons, including the state and federal government or their agencies, to further educational purposes within the district;

n. To cooperate with other community boards and the central education agency and to carry out programs to implement such cooperation.

Section 7. Central Board of Education*

a. Members of the board of education of the city of New York on the effective date of this act shall continue to serve until the expiration of their respective terms of office. The five positions becoming vacant in 1969, 1970 and 1971 shall not be filled and shall be terminated. Vacancies in the remaining four positions on the board of education as constituted immediately prior to the effective date of this act shall be filled by the mayor pursuant to subsection c of this section.

b. During December 1969 an assembly composed of all chairmen of the community boards shall meet and shall propose the names of fifteen persons from whom five shall be chosen to become members of the central board of education. On the first Monday in February 1970 the mayor shall select such five persons from such a list. Thereafter, the assembly of chairmen shall meet whenever a vacancy in one of these five offices is about to occur. The assembly shall propose a panel of three to five names for each vacancy.

c. Appointments by the mayor under subsection a of this section shall be from a panel of three to five names for each vacancy submitted by a commission on appointments which shall be composed of the following persons to which commission the mayor may add not more than four additional officers of other organizations or institutions; in choosing such organizations, the mayor shall be

*The draft legislation uses the term "central education agency" to allow for the possible option of a three-man commission in lieu of a reconstituted board of education. This section 7 assumes a choice of a reconstituted board.

guided by the need to reflect the diversity of views and backgrounds of the people of New York City:

- the president of Columbia University;
- the chancellor of the City University of New York;
- the president of New York University;
- the president of the Association of the Bar of the City of New York;
- the president of the New York City Central Trades and Labor Council;
- the president of Commerce and Industry Association of New York, Inc;
- the president of the Public Education Association;
- the president of the United Parents Associations of New York City, Inc;
- the president of the League of Women Voters of the City of New York;
- the president of the Citizens Union; and
- the president of the Citizens Budget Commission, Inc.

c. Terms of office of members hereafter appointed to the central board of education shall be four years except as the mayor shall establish shorter terms to achieve staggered terms for members chosen from a list proposed by chairmen of community boards.

d. The board shall designate one of its members to be the president of the board.

e. No person may serve both as a member of a community board and as a member of the central board.

f. In case of vacancy on the central board, the position vacated shall be filled by the same method as had applied to the person formerly occupying the vacant position.

Section 8. Powers and Duties of the Central Education Agency

Subject to the provisions of this act, the central education agency shall have the following powers and duties:

- a. To perform any duty imposed upon it by statute, by rules of the regents or regulations of the commissioner of education;
- b. To conduct research, by contract or otherwise, concerning educational problems and solu-

tions; to engage in long-term planning on the basis of such research and analysis; to conduct curriculum research and keep the community boards informed concerning such research;

c. To encourage interdistrict cooperative arrangements among community boards, to encourage experimentation and innovation by community boards and to encourage racial integration; to carry out these powers and duties, the central agency shall maintain a quality incentive fund as defined in section 15 of this act.

d. To maintain recruitment programs for school personnel as described in section 11c of this act; to assist in the placement of new teachers and the transfer of existing teachers from one district to another;

e. To maintain legal services, public information services, necessary civil defense arrangements and other functions applicable citywide and not specifically vested in the community boards under this act;

f. To create, abolish, maintain and consolidate such positions, divisions, boards and bureaus as, in its judgment, may be necessary for the proper and efficient administration of its work; to appoint a superintendent of schools and such other supervisory, administrative, teaching and other personnel as it deems necessary to the proper and efficient administration of its work;

g. To establish and maintain such special schools, specialized high schools and vocational and industrial high schools, or other schools as the board deems necessary to meet the needs of the city which cannot be met by the community boards;

h. To have all the powers vested in community boards pursuant to section 6 of this act as shall be necessary to establish and maintain the schools authorized by subsection g of this section;

i. To establish citywide salary schedules and other conditions of employment and to represent the city school system in collective bargaining with organizations representing school employees;

j. To dispose of such personal property, including textbooks, as it and the appropriate community board, if any, shall agree is no longer required for use in the schools. Such disposition shall be made in the name of the city of New York and for

such city. The money realized from sales under this subsection shall be paid into the city treasury and shall at once be appropriated by the city to the general funds of the central education agency.

k. To establish reporting procedures both for schools under its direct control and those under the control of the community boards; to maintain the necessary personnel and equipment for collecting and processing such information and all information relating to school system activities, including budget preparation, performance analysis and research; reports and data maintained hereto shall be preserved as property of the central education agency and, except those reports containing confidential information about individual pupils or their families, shall at all times be open to public inspection;

l. To compensate, in its discretion, teachers and other employees in the school system who are not covered by the workmen's compensation law, for loss of personal property and for medical and hospital expenses arising from injuries in actual performance of duty;

m. To maintain, in the city of New York, through such representatives as it may designate, an effective visitation and inspection of all schools and classes maintained in institutions controlled by the department of correction of the city of New York;

n. To provide transportation, home-teaching or special classes, as defined under sections forty-four hundred three, forty-four hundred six and forty-four hundred seven of the education law for physically and mentally handicapped and delinquent children. Such transportation, home-teaching or special classes, when provided pursuant to this subsection, shall be granted to all such children irrespective of the school they legally attend;

o. To provide by contract for the transportation of children to and from any school or institution of learning as provided by state law. It shall provide for such transportation whenever in its judgment it is required because of the remoteness of the school to the pupil or for the promotion of the best interests of such children. Any such contract may be made for a period not exceeding five years, notwithstanding any provision of any charter or other provision of law inconsistent herewith:

p. To provide, outside the territorial limits of the city but within the state, for the education of children resident within the city whenever in its judgment, approved by the commissioner of education, the health or welfare of such children makes such provision necessary or desirable. The average daily attendance of such pupils shall be included in the average daily attendance of the district within the city as certified by the central education agency to the commissioner;

q. To provide for the loan of textbooks as required by law to students in other than public schools; the textbooks thus loaned must be selected from those approved by community boards or the central agency for use in schools within their respective jurisdictions;

r. To review the education provided in and administration of all schools under its jurisdiction and the jurisdiction of the community boards; to inform community boards of the results of such review; to report to the commissioner of education the results of such review and to recommend appropriate actions in case of violation of state educational standards.

s. To perform such functions as may be delegated to it by community boards or the commissioner of education;

t. (1) To prescribe such regulations and by-laws as may be necessary to make effectual the provisions of this act and for the conduct of the proceedings of such agency, for the transaction of its business affairs, for the general management, operation, control, maintenance and discipline of the schools, and for all other educational, social or recreational activities and other interests under its charge or direction;

(2) To delegate such of its powers and duties as it deems appropriate to make effectual the provisions of this act and for the general management, operation and control, maintenance and discipline of schools and other activities under its charge or direction to the superintendent of schools, community boards of education, or to other supervisory personnel who shall exercise such delegated powers in the same manner and with the same force and effect as if such powers were given to such delegatee under the provisions of this act;

u. To acquire real property and purchase or construct improvements on purchased or leased property as prescribed by section 13 of this act;

v. To assure maximum utilization of school facilities and minimum racial segregation in such facilities, the central education agency may reassign pupils and, in case of substantial underutilization or overcrowding of school facilities or substantial racial segregation, may, subject to section 4 of this act, alter community district boundaries, after consultation with the community boards of the affected communities.

Section 9. Community Superintendents of Schools

a. Each community board shall retain by contract for a limited term a community superintendent of schools who shall be responsible to the community board for the carrying out of policies established by the community board and the exercise of power vested in him by the community board.

b. A person having tenure as and occupying the position of district superintendent on the effective date of this act shall continue to have tenure in rank and pay but is subject to assignment to a supervisory position of equivalent rank and pay if he is not retained on contract as a community superintendent by any community board.

c. Persons designated as community superintendents must possess or be entitled to a superintendent's certificate as provided in section three thousand three of the education law.

d. Each community superintendent shall advise his community board on appropriate policies and the community board shall seek his advice before taking action on any proposal.

e. All community superintendents of schools shall convene at least four times each year under the chairmanship of the superintendent of schools for discussion of the administration of the schools.

Section 10. Superintendent of Schools*

a. The superintendent of schools shall have such authority as may be delegated to him by the central education agency or by community boards of education. He shall be responsible to the delegating authority for the exercise of such authority.

b. The superintendent of schools shall be appointed by the central education agency for a term of five years, subject to removal for cause. To be eligible for such position a person must possess or be entitled to a superintendent's certificate as provided in section three thousand three of the education law.

c. In addition to the powers vested in him under subsection a of this section, the superintendent of schools shall have the following authority unless such authority is removed or modified by action of the central education agency:

- (1) Select a headquarters staff;
- (2) Collect attendance data;
- (3) Provide purchasing, warehousing, transportation and other services requested by the central agency or by the community boards;
- (4) Provide technical advisory services requested by the community boards;

d. The superintendent shall take appropriate steps to maximize cooperation between the school system and other public and private agencies.

Section 11. Personnel Provisions

a. Appointments and promotions by the central education agency and by the community boards shall be made according to fitness. Appointing and promoting authorities shall maintain records of all personnel action. The form of examination or inquiry into fitness employed shall be reasonably related to the ascertainment of qualification for appointment. Adequate steps must be employed by appointing authorities to assure that potentially interested candidates for positions are duly informed; selection shall be on the basis of merit and fitness, and, wherever practicable, on a competitive basis.

b. Powers to appoint, transfer, or remove personnel created by this act shall not be construed to abridge tenure or contract rights secured under previously applicable laws or lawful contracts between employees and the existing board of education.

c. All personnel appointed by the central education agency or by the community boards must meet the qualifications established by the regents and the commissioner of education pursuant to the provisions of article sixty-one of the education

*This section might be omitted if it is decided to establish a three-man commission as the central education agency.

law. The central education agency or any community board may petition the commissioner for alternative standards for certifying eligibility of teachers. The central education agency shall establish a professional manpower division which shall conduct examinations to determine fitness under criteria established by the commissioner as supplemented by the central education agency. The community boards and the central education agency may, but need not, make use of the professional manpower division in hiring or promoting personnel.

d. Appointments shall be made by the central education agency on the recommendation of the superintendent; appointments shall be made by each community board on the recommendation of its community superintendent.

e. All persons appointed to the teaching and supervising service other than the superintendent of schools and the community superintendents shall serve a probationary period of not less than one year and not to exceed three years, such period to be fixed by the appointing authority. But a teacher who has rendered satisfactory service as a regular substitute for a period of two years or as a seasonally licensed per session teacher of swimming in day schools, who has served in that capacity for a period of two years and has been appointed to teach the same subject in day schools on an annual salary, shall serve a probationary period of one year. The service of a person appointed to any of such positions may be discontinued at any time during such probationary period by the appointing authority. Each person who is not to be recommended for appointment on tenure shall be so notified by the appointing authority in writing not later than sixty days immediately preceding the expiration of his probationary period.

f. Tenure in the case of supervisory personnel shall assure them rights to equivalent pay and rank. Tenure in the case of teaching personnel shall assure rights to pay, rank, and similar position.

g. Except as otherwise required by contract existing on the effective date of this act, a community board need not accept the transfer of any person whose tenure was granted by another community board, but must extend to a person

whose transfer is accepted the same tenure rights recognized by the community board from which the person transferred.

h. No person presently holding a tenured appointment as a teacher may be transferred out of a district without his consent; he may be transferred by the community board between schools within the district, but must be placed in a similar position.

i. A tenured person may be removed only for cause after notice and hearing under regulations to be established by the central education agency.

j. All administrative employees of the central education agency and community boards shall be appointed for such probationary period and shall have the right to hold their respective positions as defined by the civil service law and regulations based thereon and regulations of the central education agency consistent therewith.

k. Teachers appointed in the schools or classes maintained in the institutions controlled by the department of correction of the city of New York shall be appointed by the commissioner of correction of such city upon the nomination of the superintendent of schools and shall be licensed by the central education agency.

l. Community boards of education and the central education agency may, subject to the approval of the commissioner of education, assign, in the schools under their respective direction and control, any teacher employed to teach any subject or subjects other than any specific subject for which such teacher is licensed. No such assignment shall be made unless the appropriate board certifies that such teacher is competent to teach the assigned subject or subjects. The assignment of a teacher to teach any such assigned subject shall not operate to change the rank or level of such teacher from that which he or she occupied prior to such assignment.

m. The central education agency may establish the terms and conditions by which employees of the school system would be permitted to accept any additional employment or office outside the school system but such additional employment may be prohibited by the central education agency except employment to give literacy tests and issue certificates to voters under the rules and regula-

tions of the board of regents. The central education agency, or a community board pursuant to rules of the central education agency, may permit and regulate the holding of two positions by the same person, in neither of which positions the person so employed serves on an annual salary nor must become a member of the retirement association created by, or pursuant to, the laws of the state of New York.

n. The central education agency and community boards may, for the schools under their respective direction and control, employ replacement teachers to serve in positions which have been temporarily vacated by teachers absent on leave. Such positions of replacement teachers shall be in all respects permanent positions in the school system and persons duly appointed to such positions shall be entitled to the rights of tenure and retirement accruing to persons serving in other permanent teaching positions. When a replacement teacher with tenure is displaced by the return of the absent teacher, he shall be given priority in filling other vacated or newly created teaching positions within the schools under the control of the appointing board. The method of implementing this priority shall be determined and made public by each board.

o. The central education agency and community boards, within schools under their direction and control, may compel all employees of the school system to submit to medical examinations to determine fitness for duty. The person required to submit to such medical examination shall be entitled to be accompanied by a physician or other person of his own choice.

p. Community boards may create positions in their schools as teacher-trainer and teacher-trainee positions. Such positions may be filled by persons designated as qualified teacher-trainers or as qualified potential teachers by a community board subject to regulations of the commissioner. The commissioner shall by regulation establish the maximum number of such positions which may be created in any school.

Section 12. Removal of Tenured Personnel

a. Any person who has served the probationary period and has been granted a permanent appoint-

ment shall be removed only for cause after a hearing held, pursuant to subsection c of this section; such a hearing shall be held only upon the recommendation of the superintendent of schools for persons employed in positions under the jurisdiction of the central education agency or on the recommendation of the community boards for persons employed in positions under their respective jurisdictions.

b. Any person aggrieved by the action of the central education agency may review its determination either by appeal to the commissioner of education, as provided by article seven of the education law, or in accordance with the provisions of article seventy-eight of the Civil Practice Law and Rules. If such person should elect to institute a proceeding under the Civil Practice Law and Rules, the determination of the central education agency shall, for the purpose of such proceeding, be deemed final.

c. Hearings held pursuant to this section may be by the central education agency or by one or more of its members or by a hearing examiner, at the direction of the central education agency. If the hearing is before any tribunal other than the entire central education agency, the recommendation shall be approved, disapproved or modified by the central education agency after reviewing the evidence in the case. In all hearings and investigations under this section, all testimony shall be under oath which the presiding officer of the hearing is hereby authorized to administer. Such officer is also hereby granted the power to subpoena witnesses, papers and records. The Supreme Court shall have power, upon application of the presiding officer, to compel any witness who may be summoned to appear and testify before the presiding officer.

d. An employee may be suspended during the pendency of the investigation and hearing held pursuant to this section, but if acquitted he must be restored to his position with full pay for the period of suspension.

e. At the discretion of the central education agency for cause shown, the employee may be penalized by reprimand, fine, suspension for a fixed time without pay, or dismissal.

Section 13. Acquisition and Sale of Real Property; Construction, Purchase and Renovation of Schools

a. The central education agency is authorized and it shall have power to purchase, repair, remodel, improve or enlarge school buildings or other buildings or sites, and to construct new buildings, subject to such limitations and restrictions as provided in this section. Where such action involves a school building within or to be within the jurisdiction of a community board, action by the central education agency shall be taken only after consultation with the community board.

b. Action taken pursuant to subsection a of this section must be preceded by a majority vote of all members of the central education agency approving a resolution reciting in detail the action to be taken and estimating the amount of funds necessary for such action. An item for such amount, if funds are not available for the action, may be included in the annual budget.

c. Whenever practicable, school buildings shall be constructed in the city of New York with an open-air playground attached to or available for use in connection with the school buildings.

d. When real property of a city under the control and management of the school system is no longer needed for educational purposes, the central education agency shall notify the appropriate city agency. Sale by the city shall be in the manner in which other property owned by the city may be sold or disposed of and the proceeds, if any, shall be credited to the funds of the central education agency, unless otherwise determined by the board of estimate.

e. The central education agency shall let all contracts for public work and all purchase contracts to the lowest responsible bidder after advertisement for bids where so required by applicable state or city law or regulation; provided that if the total expenditure for a given action shall be not more than five thousand dollars, the contract with the lowest responsible bidder need not be after public advertisement but shall be executed under regulations made by the central education agency.

Purchases of less than five hundred dollars may be made without competition.

f. The central education agency may make rules and regulations governing the qualifications of bidders entering into contracts under this section; the bidding may be restricted to those who have qualified prior to the receipt of bids according to standards fixed by the central education agency, provided that notice or notices for the submission of qualifications shall be published in the official publication of the municipality, and in an appropriate trade journal not less than ten days prior to the date fixed for the filing of qualifications.

g. Liquidated damage clauses may be inserted by the central education agency in contracts executed pursuant to this section and the central education agency is authorized to remit the whole or any part of such damages as in its discretion may be just and equitable; in all suits involving such contracts, stipulations of liquidated damages shall be binding on all parties.

h. The central education agency may purchase real property for any purpose authorized by law and shall take title thereof in the name of the city which shall hold said property in trust for the use of such school system and the city is hereby empowered to sell and convey the same when it deems it proper for the interest of the school system of New York City and when the owner of such property refuses to sell the same or such central education agency is unable to agree with the owner of such property on the purchase price thereof, it shall have the power and authority to institute such proceedings and take any action necessary to acquire title to such property under and pursuant to the provisions of the condemnation law, city charter, or of any special statute authorizing proceedings to acquire title by right of eminent domain.

Section 14. Financial Provisions: Budget Preparation

a. The central education agency shall prepare annually and submit to the mayor an itemized estimate for the ensuing fiscal year of the sum of money it may deem necessary for it and for the community boards to carry out the functions vested in them by this act.

b. Prior to submission of such estimate, the central education agency shall request submission by the community boards of itemized estimates for the year for which the budget is prepared. The proposed budget of each community board shall be based upon an estimate by the central education agency of the amount likely to be available in the ensuing fiscal year under the formula established by section 15 of this act applied to the mayor's estimate of available funds. Each community board shall hold public hearings prior to its submission of its proposed budget.

Section 15. Financial Provisions: Allocation and Control

a. Allocation by the central education agency of funds for educational purposes shall be accomplished as provided in this section.

b. Prior to the submission of the budget estimates pursuant to section 14 of this act, the central education agency shall submit to the mayor a proposal for an equitable and objective formula for allocation of resources to the community boards. It shall also submit to the mayor a plan for distribution of funds to the central education agency for performance of its duties and to the central education agency for a quality incentive fund. The central agency shall make public the factors by which it arrives at the aspects of need considered and the weight accorded each factor in the construction of the formula and the distribution plan. The mayor may approve the formula and the plan or he may modify them. Prior to submission of the formula and plan to the mayor, they shall be submitted for review and comment to all community boards. A formula and plan for distribution, once adopted, shall continue until modified by the procedures of this subsection.

c. The quality incentive fund shall be maintained to be allocated among the central education agency and the community boards by the central education agency to assist in integration, experimentation and innovation, and to meet emergency needs. It shall be not less than two nor more than five per cent of the education budget.

d. The formula and plan established pursuant to subsection b of this section shall be binding on the central education agency in its allocation of

funds received from the city of New York for distribution among the community boards, the central education agency and the quality incentive fund.

e. Control over expenditures of funds allocated to a community board shall be exclusively in the community board, subject to appropriate fiscal procedures of the central education agency and to applicable law relating to audit and payment of salaries and other claims by the comptroller.

f. The capital budget submission for the school system shall be determined by the central education agency after consultation with the community boards. Funds appropriated for capital budget purposes shall be administered by the central education agency. Every five years the central education agency shall, after appropriate consultations and hearings, publish a capital needs analysis and a plan showing intended capital development for the ensuing ten years.

g. Each community board may apply for, receive, and administer funds from the central education agency's quality incentive fund, from city agencies, from the state or federal government, and from private persons or institutions.

Section 16. Annual Financial Report

The central education agency shall conduct or require an annual audit of the expenditure of all educational funds and shall report information secured by the audit to the city. Such report shall be public.

Section 17. Disbursement of Funds

a. Public moneys apportioned to the city by the state and all funds raised or collected by the authorities in the city for the school system shall be paid into the city treasury and shall be credited to the central education agency, the quality incentive fund, and the respective community boards as determined by the formula and plan established pursuant to section 15b of this act. The funds so received into such treasury shall be kept separate and distinct from any other funds received into the said treasury. The officer having the charge thereof shall give such additional security for the safe custody thereof as the corporate authorities of the city shall require.

b. Funds credited to the central education agency and to the quality incentive fund shall be disbursed from the treasury upon written orders signed by the superintendent of schools and by the president of the central education agency. Funds credited to the community boards shall be disbursed upon written orders signed by the appropriate community superintendent and the chairman of the appropriate community board. Orders under this subsection shall specify the purpose for which they are drawn and the person or corporation to whom they are payable.

c. The central education agency and the community boards shall make such classification of the funds under their respective management and control and of the disbursement thereof as the comptroller of the city shall require, and such central education agency and community boards shall furnish such data in relation to such funds and their disbursements as the comptroller shall require.

Section 18. Corporate Schools Entitled to Participate in Funds of the School System of New York City

(NOTE: This section 18 shall incorporate present sections 2581 and 2582 of the Education Law of New York concerning certain schools entitled to participate in the funds of the school system of the city of New York. Section 18 would continue the provisions of present law applicable to these schools.)

Section 19. Powers of the Commissioner of Education

a. Disputes between a community board and the central education agency shall be brought by either party before the commissioner of education for resolution except as otherwise specifically provided in this act.

b. The commissioner of education shall have all authority necessary to conduct, from time to time, such evaluative studies of the school system created by this act as he deems appropriate. For this purpose he may contract with persons or institutions he deems qualified without publication or bidding.

c. The commissioner may order a community

board or the central education agency to act or refrain from acting where such an order is, in his judgment, necessary for the maintenance of sound education. This authority may be delegated to the central education agency, but only subject to specific guidelines for its exercise. In case of such delegation, the commissioner shall establish procedures for effective review by the commissioner of complaints of community boards concerning the exercise by the central education agency of this authority.

d. In emergency situations, the commissioner can declare a school district, or a group of schools within a district, to be in a trusteeship under his direct supervision; power of the board over the district or schools shall thereby be suspended and the commissioner shall have all administrative powers otherwise exercisable by the board.

e. There is hereby authorized to be appropriated to the office of the commissioner of education such funds as are needed to carry out functions of the commissioner pursuant to this act.

Section 20. Temporary Commission on Transition; Transitional Provisions

a. There shall be established by the board of education of the city of New York existing on the date of enactment of this act and by the mayor of the city of New York a temporary commission on transition which shall, subject to the review and approval of the commissioner of education, determine the ways and means of effecting a transition to the community school system created by this act. The temporary commission on transition shall continue in existence until it determines the transition is completed, or until April 1, 1972, whichever shall be sooner.

b. Personnel of the office of the commissioner of education, of the board of education and of the city of New York may be temporarily assigned to the temporary commission on transition.

c. The central education agency may reassign personnel whose positions are abolished as a result of implementation of this act, including the transfer of functions from the existing board of education to the community boards created pursuant to this act. The central education agency

shall promulgate procedures to ensure appropriate recognition of seniority rights among such employees.

Section 21. Amendments to Other Laws

a. Section 2550 of the Education Law is hereby amended by deleting from it the words *New York*.

b. Subsection a of section 2552 of the Education Law is hereby repealed.

c. Subsections 2 and 5a of section 2553 of the Education Law are hereby repealed; subsection 6 of section 2553 of the Education Law is hereby amended by deleting the words *and New York* and inserting the word *and* between the words *Rochester* and *Syracuse* and inserting a period after the word *Syracuse*.

d. Subsections 5, 6, 8, 14, 15e and 17 of section 2554 of the Education Law are hereby repealed.

e. Section 2554-b of the Education Law is hereby repealed.

f. Subsections 5 and 8 of section 2556 of the Education Law are hereby repealed.

g. Section 2564 of the Education Law is hereby repealed.

h. Subsections 13 and 16 of section 2573 of the Education Law are hereby repealed.

i. Subsections 3, 4, 5, 6, 7, 8 and 9 of Section 2575 are hereby repealed.

j. Section 2575-a of the Education Law is hereby repealed.

k. Section 2581 of the Education Law is hereby repealed.

l. Section 2582 of the Education Law is hereby repealed.

m. Section 2583 of the Education Law is hereby repealed.

Section 22. Effective Date and Separability Provision

a. Sections 1, 3, 5, 7, 19 and 20 shall be effective upon the date of enactment of this act.

b. All other sections of this act shall be effective on the date of the establishment of community boards of education pursuant to section 5 of this act.

c. In the event of invalidity of any section of this act, such invalidity shall not affect the continued effectiveness of any other section of this act.

APPENDIX A

REVIEW OF PAST STUDIES

The major studies of the New York City schools in the last several decades have ranged in coverage from such specifics as staffing to broader analyses that include performance, curriculum, desegregation, and organization. All pointed to weaknesses said to have adversely affected the school system's effectiveness in educating the children of the city.¹

The most comprehensive review of the system in the last ten years was a 1962 report of the State Education Department.² Its major conclusions were:

1. Pupil achievement is generally below the rest of the state. A large proportion of high school students fail to meet minimum standards.
2. Major improvements in curriculum are needed, particularly at the elementary and junior high school levels.
3. The caliber and preparation of the teaching staff are very uneven.
4. Classes are too large, with concomitant results that the staff has heavier teaching loads and more housekeeping chores than are educationally desirable.
5. The areas of greatest need often have the poorest and least experienced teachers.
6. Supplementary social and psychological services are inadequate.
7. Many old, unsound school buildings are still in use.
8. The procedures of the Board of Examiners need to be replaced by less time-consuming methods of teacher selection.

MANAGEMENT

Two 1959 reports — one initiated by the City of New York, the other by the State Commissioner of Education — dealt with problems of school planning and construction. They were prompted by the City Comptroller's charges against the Board of Education of mismanagement and waste of over \$100 million in construction funds. Irregularities in awarding building contracts and inspection of work also were alleged.

The city study, known as the Preusse Report, called for revamping the Board of Education within the municipal government structure. It concluded that there was no clear definition of the policy-making responsibilities of the Board of Education and the policy-executing administrative functions of the Superintendent of Schools and his staff. It recommended elimination of the provision in the State Education Law requiring the appointment of Board of Education members from individual boroughs. It proposed instead that nominations for Board positions be made by a Mayor's advisory panel with the final decision resting with the Mayor. The report also called attention to the need to pinpoint responsibilities and relationships of city agencies with respect to the Board of Education. Finally, it recommended that a School Planning and Research Unit be established and that in order to have greater flexibility in deciding school construction priorities, the Board be given fiscal independence through lump-sum budgets within a framework of fiscal responsibility to the city.³

The second report, by the State Education Commissioner's committee on inquiry into the school construction crisis, made many similar recommendations in terms of division of policy-making and administrative functions of the lay Board and the professional staff.⁴ However, it called for greater independence by the Board from the city administration and urged an end to extensive review by various municipal agencies, particularly over the capital budget.

In 1961, the Legislature passed a bill with several provisions to deal with the construction crisis, and the Board's operations generally.⁵ Some of the most far-reaching of these were a) abolition of the Board of Education and redefinition of responsibilities, b) revision of the selection procedure for Board members, c) requirement of regularly submitted progress reports to the State Commissioner, the Board of Regents, and the Mayor, particularly in regard to actions concerning the construction program, d) increased public participation and revitalized local school boards.

These recommendations were reiterated in a management survey done at the request of the Board of Education by the consulting firm of Cresap, McCormick and Paget in the summer of 1962 and released after a new Superintendent of Schools, Dr. Calvin E. Cross, took office the following April.⁶ Its findings and recommendations dealt principally with what it regarded as unclear definitions of responsibility between the Board and the Superintendent and staff. The ambiguity resulted in inefficiency and lack of accountability, according to the study. Furthermore, inbreeding of personnel within the system was said to stifle any flow of new ideas and to perpetuate a generally low level of supervisory ability. This, coupled with the diffusion of budget responsibility, the survey maintained, severely limited the educational and administrative productivity of the Board of Education.

PUPIL ACHIEVEMENT

The Urban League of New York in 1963 updated a comprehensive 1955 Public Education Association study of the status of public education of Negro and Puerto Rican children in the city.⁷ The Urban League made comparative analyses of

racially imbalanced and predominantly white schools. In pupil achievement patterns and trends the Urban League research confirmed the earlier patterns shown by the Public Education Association findings: that achievement levels in the earlier grades of the former schools were lower than in the latter and that, "the longer the Negro and Puerto Rican students continued in schools, the lower their achievement level fell." For example, in the 8th grade the gap between the two groups and children in predominantly white schools was almost two-and-a-half grades in 1955, and by 1963 it had increased to exactly three-and-a-half grades. The study also disclosed a very high rate of teacher turnover, and a far greater proportion of new and inexperienced teachers, in the predominantly Negro schools. In addition to recommendations for desegregation the report made proposals in guidance, remedial programs, textbooks, testing, facilities, and personnel recruitment.

The 1964 report of the Commissioner's Advisory Committee on Human Relations and Community Tensions, known as the Allen Committee, dealt with school reorganization to alleviate racial imbalance.⁸ The report cited a need to stabilize the teaching staff and recruit larger numbers of minority-group personnel, to extend pre-primary programs, and to seek out more state and federal support.

Sheldon and Glazier, under Russell Sage Foundation auspices, published a report on the New York City schools in 1965.⁹ They compiled data on and described population changes, various school programs, staffing patterns, and pupil performance in schools under the Board of Education's open enrollment and permissive zoning programs. The report suggested the need for considerable improvement in the staffing of needy (Special Service) schools with experienced teachers. It concluded that various zoning and school reorganization policies had not had a great numerical impact on *de facto* segregated schooling. It said the school system's attempts to reduce wide variation in pupil performance, teacher stability, special programming, and other factors "have not been particularly effective in minimizing some of the differences." It indicated that the heaviest compensatory efforts began about the

fifth grade and suggested that, in view of research that indicates that the major proportion of eventual adult intelligence develops much earlier in life, resources for compensatory education might be shifted toward the earlier grades.

PERSONNEL POLICIES

Several studies have been particularly critical of the system of examinations for teaching and supervisory personnel. Suggestions and recommendations regarding the Board of Examiners range from changes in specific practices to abandonment of the entire examination structure. The Cresap-McCormick-Paget report advocated decreasing the size of the Board of Examiners as members retired, having the Examiners report to the Deputy Superintendent of Personnel, increasing the role of the Board of Examiners in recruitment, and decreasing the personnel assigned to the Board of Examiners by 77 per cent.

A study by Griffiths, et al in 1963 suggested a comprehensive study of the role of the Board of Examiners that would raise questions about the validity of the testing procedures, the tests themselves, and the outcome of the testing.¹⁰ It is also suggested that the role of the Board of Examiners be studied in relation to its various functions — for example, teachers could be licensed after examination of their credentials or through the use of the National Teachers Examination — and that promotional examinations become the Board's principal function.

A 1962 report by Mark Schinnerer, former superintendent of schools in Cleveland who was employed as a consultant by the State Education Department, contains recommendations related to personnel, as well as other aspects of the Board's functions.¹¹ He recommended that the Board of Examiners be terminated, that Local School Boards be given more carefully defined responsibilities, that a system of fiscal independence be established, and that central headquarters be organized on a functional rather than divisional basis. He emphasized that needed changes in the system would not come about without major changes in the selection of personnel.

DECENTRALIZATION

In June, 1967, the State Education Department

published a historical review of decentralization studies. It cited the following reports, which dealt with one or more aspects of decentralization:¹²

A 1933 study, while calling for increased consolidation and centralization, nonetheless called on the Board of Education to concentrate more on policy-making and to allocate administrative and pedagogic responsibilities more widely among superintendents, principals, and teachers.¹³

Cillié, in a 1940 comparative study of centralized and decentralized systems, focused on the need for individualization of education.¹⁴ He found that change and adaptability were easier to bring about in decentralized systems, though not impossible in centralized systems. He stated that decentralized committees could devise better curriculum and conduct more effective administration.

Hicks, in his 1942 study of New York City, although concluding that unwieldiness, unfavorable staff factors, and lack of community responsiveness were constants of an over-large big-city system, found that there was a much higher potential for community participation than was being exercised.¹⁵ His recommendations relating to decentralization were made in the context of suggestions for generally alleviating the paralysis of bigness.

Beach, in a 1949 study, concluded that the strengths and weaknesses of a school are a reflection of the community it serves.¹⁶ He outlined a plan for a program of public participation, reported on impediments to the development of stronger relationships between school and community, and identified the various types of community action groups which may develop.

Polley, Loretan, and Blitzer collaborated on an evaluation of the Bronx Park Community Project (an early experiment in improved localized community participation in education), which showed that community action was feasible in a big-city setting.¹⁷ Fletcher's research report footnoting the Bronx Park study cited some of the ways in which non-education area groups could and did operate as community agencies.¹⁸

More recently, and aside from the studies noted by the State Education Department summary, there have been many reports and analyses of the

school structure and operation of the New York City schools. The common themes are that there is a lack of accountability and great variation in educational results. Some have cited low minority-group achievement; others, an unresponsive hierarchical decision-making process and still others, the need for improved school-community ties. A few of these are outlined:

The most thoroughgoing studies of New York City's Local School Boards have been conducted by the Women's City Club. Its 1960 report said they were ineffective, if not moribund, instruments for community participation in the education process and called for considerably strengthened power and changes in method of selection and other aspects.¹⁹ A followup study in 1966 found considerable improvement in the method of selection and degree of member engagement in board activity, but the report criticized the "advisory only" role of the boards and urged greater community participation through additional powers in budgetary and personnel functions.²⁰

In a 1961 report, the Board of Education outlined various possible avenues toward decentralization.²¹ Specific recommendations concerning the Local School Boards were made and the responsibilities and authority of the superintendent, field

assistant superintendents, principals and teachers were codified.

The report of the Temporary Commission on City Finances in 1966 advocated increased decentralization of authority from the Board of Education while calling for a stronger role on the part of the Mayor.²² Harsh in its evaluation of the educational system in New York City, a Commission staff paper laid the blame for many ills on an educational bureaucracy.

In a report of the Center for Urban Education, Marilyn Gittell examined education decision-making in New York City and proposed guidelines to be considered in any plan of decentralization.²³ Basically, her recommendations represented an extension of the Report of the Temporary Commission on City Finances; it supported participation of Local School Boards in decision-making processes and suggested decentralization operations in five borough-wide districts.

A working paper by Preston Wilcox of the Columbia University School of Social Work is widely credited with stimulating many current proposals for decentralization.²⁴ In it he outlined a plan designed to produce direct accountability of school administrators and teachers to the community, and vice versa.

APPENDIX B

**MINIMUM REQUIREMENTS
FOR SCHOOLS IN
NEW YORK STATE***

INSTRUCTIONAL PROGRAM

COMPULSORY ATTENDANCE

Statute. Minors from seven to sixteen years are required to attend upon full-time day instruction.

If they attend nonpublic school they must receive equivalent instruction. In city school districts and certain village school districts, minors from sixteen to seventeen who are not employed may be required to attend upon full-time day instruction (EL 3205-6).[†]

Resident pupils over five and under twenty-one are entitled to attend school in the school district in which they reside without paying tuition (EL 3202).

Records of attendance and school census are required (EL 3211, 3240-2).

Employment certification requirements are set forth (EL 3215-26).

Exemption certification requirements are set forth (EL 3315-26).

LENGTH OF SCHOOL SESSIONS

Statute. For State aid purposes, public schools are required to be in session and taught by qualified teachers for not less than 180 days during the year. The Commissioner may disregard a deficiency of up to five days on account of adverse weather, fuel shortage, etc., if he finds that the district cannot make up such days of instruction during the school

year. The Commissioner shall excuse a deficiency not exceeding six days caused by teachers' attendance at conferences held by district superintendents or upon meetings of the New York State Teachers Association, or three days caused by the teachers' attendance at conferences held by city or village superintendents (EL 3602, 3604).

Regents' Rules and Commissioner's Regulations. The summer high school must provide at least thirty days of actual instruction exclusive of days used for registration or Regents examinations (CR 180).

TEACHER LOAD IN HIGH SCHOOL

Regents' Rules and Commissioner's Regulations. The number of daily periods of classroom instruction for a high school teacher should not exceed five. A school requiring of any high school teacher more than six teaching periods a day, or a daily teaching load of more than 150 pupil periods, should be able to justify the deviation from this policy (CR 170).

SUBJECTS OF INSTRUCTION

Statute. Instruction is required by law in the first eight grades in the following subjects:

Arithmetic, reading, spelling, writing, English language, geography, United States history, civics, hygiene, physical training, New York State history, science.

* Sources: The Education Law, Rules of the Board of Regents and Regulations of the Commissioner of Education

[†] In citations, EL refers to Education Law, RR to Regents' Rules and CR to Commissioner's Regulations.

Beyond the first eight years, instruction is required in:

English, civic hygiene, physical training, American history (EL 3204).

In addition, the law requires that provision be made for instruction in certain special subjects, including:

Patriotism; citizenship; history, significance, meaning and effect of Constitution of United States and amendments thereto; Constitution of New York State and amendments; Declaration of Independence; the flag; the nature and effect of alcoholic beverages; the nature and effect of narcotic and habit-forming drugs; highway safety; fire prevention; humane treatment of animals and birds; and Arbor and Wild Life Day (EL 801-810).

School districts may establish approved vocational schools, the controlling purposes of which shall either be the preparation or else the improvement of the pupils for useful employment in trade, industrial, agricultural, commercial or homemaking occupations (EL 4602). If vocational high school courses are not available, pupils may select any other school in which vocational courses are available and the school district shall pay non-resident tuition (EL 2045).

Each city and school district having a population of 100,000 or more shall establish a guidance bureau (EL 4603).

Regents' Rules and Commissioner's Regulations.

High School

An approved high school four-year course of study shall include:

English	4 units
social studies (including one year of American History)	3 units
science	1 unit
health	1/2 unit
physical education	

Science shall be included in the ninth year. A guidance and counseling service shall be provided, including the services of personnel certified for guidance service. Each pupil shall also complete a three-year sequence in one of the following fields:

Science, mathematics, foreign language, music, art, business subjects, practical and industrial arts or vocational subjects.

Additional free electives shall be studied to make a total of sixteen units as the basic requirements for a local diploma for the four-year high school. The completion of a total of eighteen units, including at least one year of mathematics, is required for the State Regents High School Diploma (CR 173, RR 91-5). A unit is a year's work in a subject requiring four or five periods a week of forty minutes of prepared classroom work (CR 170). Each class in each week of the school year is required to have a minimum of four recitations in English (RR 28).

Junior High School

Grades 7 to 9 shall include:

English, social studies, science, mathematics, health education, drawing, music, and practical arts.

There shall be at least partial departmental organization and a definite plan of pupil guidance, including the services of personnel certified for guidance service (CR 170).

Physical Education

In elementary schools, children shall receive a minimum of 120 minutes a week of supervised physical education (EL 803) activities. In secondary schools, a minimum of 300 minutes a week of supervised physical education activities shall be provided (CR 158).

Vocational Education

Curriculum, time requirements, and diploma requirements are established for pupils enrolled in agricultural, homemaking, industrial arts, trade, and technical programs (CR 171, 175, 190, etc.).

Safety Education

The requirement is an equivalent of thirty periods a year in Grades one through nine and fifteen periods a year in Grades ten through twelve (CR 153).

EXAMINATIONS AND CREDENTIALS

Statute. The Regents shall establish examinations in studies furnishing a suitable standard of high school graduation and shall confer diplomas on

pupils who pass such examinations (EL 209).

Regents' Rules and Commissioner's Regulations. No high school diploma may be conferred which does not represent four years of work (or its equivalent) after Grade eight (RR 35). General use of Regents examinations is required (RR 28). Approved courses, procedures for administering examinations, and passing marks are established.

HANDICAPPED CHILDREN

All school districts are required to provide suitable educational facilities for physically handicapped and educable and trainable mentally retarded children from their fifth birthday until the end of the school year during which they attain their twenty-first birthday. The statute mandates home teaching, transportation and special classes and provides that the services required shall be determined by the need of the individual child (EL 4404, 4406, 1604, 1709, 1903, 2503, 2554).

Special classes are required for the educable mentally retarded (I.Q. 50-75) in districts where there are ten or more such children or contract for these services may be made under Regulations of the Commissioner of Education. Where there are less than ten and an approved special class is not being maintained, the district is required to provide for the instruction of such children in special classes by contract with another school district, Board of Cooperative Educational Services or County Vocational Education and Extension Board (EL 4404). Home teaching is not required in cases of mentally retarded children.

Annual census of physically and mentally handicapped children is required (EL 3241).

All school districts with eight or more severely retarded children (I.Q. below 50) must establish appropriate special classes or with the approval of the Commissioner of Education may contract for such services. Districts with less than eight such children are required to provide for the instruction of such children by contract with another school district, Board of Cooperative Educational Services or County Vocational Education and Extension Board (EL 4406). Home teaching is not required in such cases.

Commissioner's Regulations concerning Special

Classes. The number of pupils in special classes for education of educable mentally retarded children (I.Q. 50-75) may not exceed fifteen for elementary school age and eighteen for secondary school age. For the trainable mentally retarded (I.Q. below 50) number of pupils in classes may not exceed twelve for elementary school age and fifteen for secondary school age. The chronological age range may not exceed four years. Individual examinations by a physician and by a psychologist are required. Special classes for elementary and secondary school-age pupils shall be located in school buildings where there are regular grade children of similar ages (CR 185-C).

Special classes for non-English-speaking children are classes that have fewer than twenty-five pupils in average daily attendance and include at least 30 per cent of their registration on October 31 of the first term and on March 31 of the second term of any school year of non-English-speaking children (CR 187).

LIBRARIES

Regents' Rules and Commissioner's Regulations. Each school is required to establish and maintain a school library. The recommended number of approved book titles varies according to the size of the school. Unless otherwise authorized, every high school with an enrollment of fifty or more is required to employ a school librarian. A full-time assistant shall be employed for each 1,000 pupils after the first thousand. Minimum training of librarians is required for certification (CR 109-110). Summer schools must keep a school library open during the summer session, under the supervision of a trained librarian.

ADULT EDUCATION

Statute. Free night schools shall be provided if twenty or more persons over sixteen years of age apply. Such schools shall give instruction in speaking, reading, and writing English and shall meet at least two nights a week, two hours a night, for fifty nights a year (EL 1712). In addition, the Board of Education may establish day and evening schools for adults as citizenship schools, general adult schools, or recreation and leisure schools (EL 4605).

PRIVATE TRADE AND CORRESPONDENCE SCHOOLS

Statute. The Regents shall license each correspondence school and each private trade school teaching any trade, industrial or personal service occupation. Licenses may be suspended or revoked when the Commissioner of Education concludes that the schools are not complying with the provisions of the law or the Regents' Rules and Commissioner's Regulations (EL 5001, 5002).

CIVIL DEFENSE IN THE SCHOOLS

Requirements of the State Civil Defense Commission. Each school must hold not less than three air-raid shelter drills in each building with one such drill being held prior to December 31 each school year. Each school district must hold one meeting of all members of the school staff to review the emergency "Go Home" plan of operation. In this connection it must be clearly understood that in the event of a national emergency the "Go Home" plan will not be initiated until so ordered by the local Civil Defense Director. (These mandates are promulgated by the State Civil Defense Commission through its authority under the New York State Defense Emergency Act of 1951 and are administered through the State Education Department.)

TEACHERS' SALARIES AND PENSIONS; TENURES

Statute. Minimum salaries to be paid to teachers and certain supervisory personnel are established by law: minimum \$4,500; fifth-year minimum \$5,300; eleventh-year minimum \$6,800 (EL 3103, 3105, 3106). Local boards must adopt schedules with at least ten annual increments of not less than \$200 each. In school districts employing eight or more teachers, a differential of \$300 per annum above the salary paid to teachers possessing a baccalaureate degree must be paid to teachers who have completed a fifth year of preparation (thirty hours beyond the baccalaureate degree) and an additional \$300 for those completing a sixth year of preparation (thirty hours beyond the fifth year). The law also establishes a Teachers Retirement System for public school teachers and the rate of contribution by school districts (EL, article 11).

School districts employing eight or more teachers must operate under the "tenure system," i.e., must appoint teachers for a probationary term (as indicated by law), at the end of which a teacher found satisfactory by the superintendent having jurisdiction and by the Board of Education may be appointed on tenure, and may then be dismissed only for cause and after a trial (EL 2509, 2573, 3012, 3013, 3014, 1102).

NON-INSTRUCTIONAL PROGRAM

SCHOOL BUILDINGS AND GROUNDS

Statute. No construction or repair of school buildings involving an expenditure exceeding limits prescribed in the law shall be undertaken unless plans and specifications are approved by the Commissioner, who shall not approve them unless they are adequate to maintain healthful, safe, and comfortable conditions. In the case of cities over 125,000 population the Commissioner has waived the requirement of submission of full plans and specifications and requires only outline plans and outline specifications (EL 408).

Statute provides that Commissioner shall not approve plans for school buildings unless the site has been selected with reasonable consideration of four factors:

1. Its place in long-term school building program
2. Area required for outdoor activities
3. Educational adaptability, environment, accessibility, and soil conditions
4. Initial and ultimate costs.

Regents' Rules and Commissioner's Regulations. Each school district shall provide suitable and adequate buildings and grounds for the instruction and accommodation of the pupils (RR 208). The Commissioner's Regulations are brief and general. They take up such matters as general construction, heating and ventilation, visual comfort, and efficiency in a school building (CR 165). The regulations for existing school buildings are also brief and are designed to insure the health and safety of pupils in existing school buildings (CR 167).

TRANSPORTATION

Statute. The Commissioner shall plan and approve each bus route to assure maximum efficiency in

the operation of a school bus on such a route (EL 3622).

The Commissioner shall adopt, promulgate, and enforce rules, standards, and specifications regulating and controlling capacity, efficiency, and equipment of school buses used to transport pupils, with particular regard to the safety and convenience of such pupils and the suitability and adaptability of such school buses to the requirements of the school district. No bus shall be purchased by a school district until it has been approved by the Commissioner. The Commissioner is also required to establish rules and regulations for emergency drills (EL 3623).

The Commissioner shall determine and define the qualifications of drivers and shall make rules and regulations governing the operation of all transportation facilities used by pupils at public expense (EL 3624).

No district shall receive transportation aid for contract transportation unless the contract is approved by the Commissioner (EL 3635).

In providing transportation, sufficient transportation facilities (including the operation and maintenance of motor vehicles) shall be provided for all children of the district to and from the schools they legally attend who are in need of transportation because of the remoteness of the school to the child or for the promotion of the best interest of such children (EL 3635). When school authorities fail to provide transportation, the parent or guardian of a child may appeal to the Commissioner as provided in the Education Law (EL 310). Transportation is not required for children attending Grades kindergarten through eight residing two miles or less from the school attended or for children attending Grades nine through twelve residing three miles or less from the school attended, nor in either case for pupils residing more than ten miles from the school attended.

Transportation is required for physically handicapped and mentally retarded children as required by the needs of the individual child (EL 1604, 1709, 2503, 2554, and 4404). In the case of handicapped children the two- and three-mile minimum distance provisions do not apply and the ten-mile maximum

distance becomes twenty miles for those attending special classes.

In city school districts the statute does not require transportation for any except handicapped children. Boards of Education, however, may provide transportation, but if so, it must be provided to all children in like circumstances (EL 2503, 2554, 3635).

Regents' Rules and Commissioner's Regulations. The Commissioner's Regulations set forth the standards for school bus specifications, standards for approval of routes and seating capacities, bus purchase and safety regulations for drivers and pupils (CR 160-64).

In central and union free school districts, as well as common contracting and certain common consolidated school districts, transportation is required for elementary pupils residing more than two miles and for secondary pupils residing more than three miles from the school they attend, but districts are not mandated to provide transportation to nonpublic schools where distance is more than ten miles. (The eight-mile limit, beyond which no district will be required to furnish transportation to nonpublic schools, was contained in the judicial decisions of the Commissioner of Education and was extended by the Legislature in 1960 and 1961 to ten miles.)

HEALTH SERVICES

Statute. Annual medical inspection shall be provided by school authorities for all pupils attending the public schools in the State, except in the city school districts of the cities of New York, Buffalo, and Rochester (where medical inspection is provided by city health authorities) [EL 901]. Resident children who attend nonpublic schools shall be provided upon request of the nonpublic school with all or any health and welfare service and facilities made available to children in the public schools (EL 912).

Districts must provide by contract for health services to resident pupils attending nonpublic schools located in other school districts when requested.

Regents' Rules and Commissioner's Regulations. All schools shall provide a program of health serv-

ices, including annual health examinations, cumulative health records, guidance in preventive and corrective measures, etc. (CR 159b).

SCHOOL DISTRICT ORGANIZATION

Statute. There are in the State several different forms of school district organization, for example:

- Common school districts (which may not maintain high schools) . . . EL 1601-19
- Union-free school districts EL 1701-24
- Central school districts EL 1801-09
- Central high school districts EL 1901-11
- City school districts EL 2501-31, 2550-87

The statute also provides for formation of intermediate school districts but none have been formed (EL 1950-57).

The Commissioner is authorized to lay out central school districts consisting of areas outside certain city school districts suitable for the establishment of central schools (EL 1801). The Commissioner is also authorized to designate areas contiguous to cities suitable for consolidation with the cities as enlarged city school districts (EL 1526). A local referendum is required before any such reorganization becomes effective.

The joint legislative committee on school district reorganization adopted the Master Plan for School District Reorganization at the conclusion of its study in 1947 (Legislative Document No. 25, 1947). Chapter 723 of the Laws of 1956 requires the Commissioner to keep up to date the Master Plan (EL 314). The Commissioner is authorized to make studies and surveys necessary to review the recommendations for reorganization. Factors taken into consideration are pupil enrollments, educa-

tional needs, transportation conditions, geographic conditions, and property values in relation to the ability to support adequate educational programs.

Where districts initiate consolidation locally, the proposed consolidation must be approved by the Commissioner (EL 1511, 1522, 1524).

Boards of cooperative services may be (and under certain circumstances must be) established by the Commissioner to carry out a program of shared educational services and for providing instruction in such special subjects as the Commissioner may approve (EL 1958).

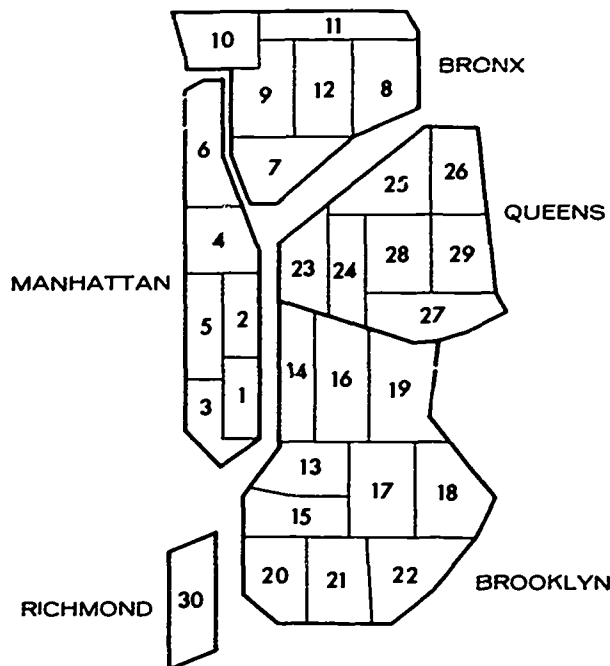
Boards of Supervisors may by resolution establish county vocational education and extension boards for the purpose of giving instruction in agriculture and home economics and such other special subjects as may be approved by the Commissioner (EL 1101-06).

Regents' Rules and Commissioner's Regulations. Secondary schools may upon proper application and after official inspection be registered, or admitted to the University, by a vote of the Regents (RR 23). The curriculum requirements for registration of public high schools are set forth in the Commissioner's Regulations (CR 170-71).

In order to be recommended for registration, a secondary school must have an enrollment of at least 700 pupils in Grades seven to twelve, unless the Commissioner is satisfied that because of density of population or other factors or because of district reorganization plans that the registration of a secondary school with a smaller enrollment or a larger enrollment is essential to properly serve the educational welfare of the children concerned (CR 170).

APPENDIX C
SCHOOL
POPULATION CHANGES:
1958, 1962 AND 1966

The maps on the following six pages demonstrate population changes in the New York City public-school enrollment from 1958 to school year 1966-67. In order to have a comparable set of maps for 1958 and 1962, census data for the individual schools was collated according to the boundaries of the present local school districts.

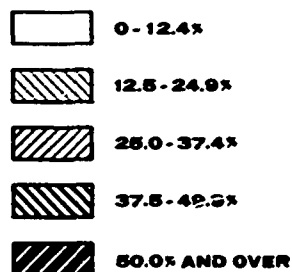


SCHOOL DISTRICTS

AREAS REPRESENT
RELATIVE SIZE OF
ENROLLMENTS - 1966

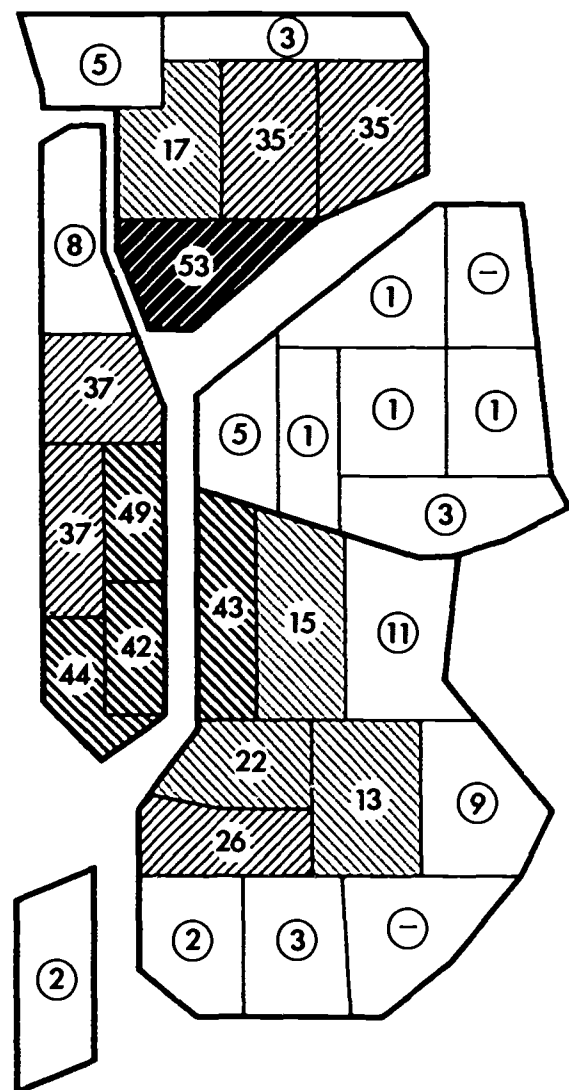
**1-8 GRADE PUERTO RICAN
ENROLLMENT AS PERCENT
OF TOTAL LOCAL SCHOOL
DISTRICT ENROLLMENT**

LEGEND



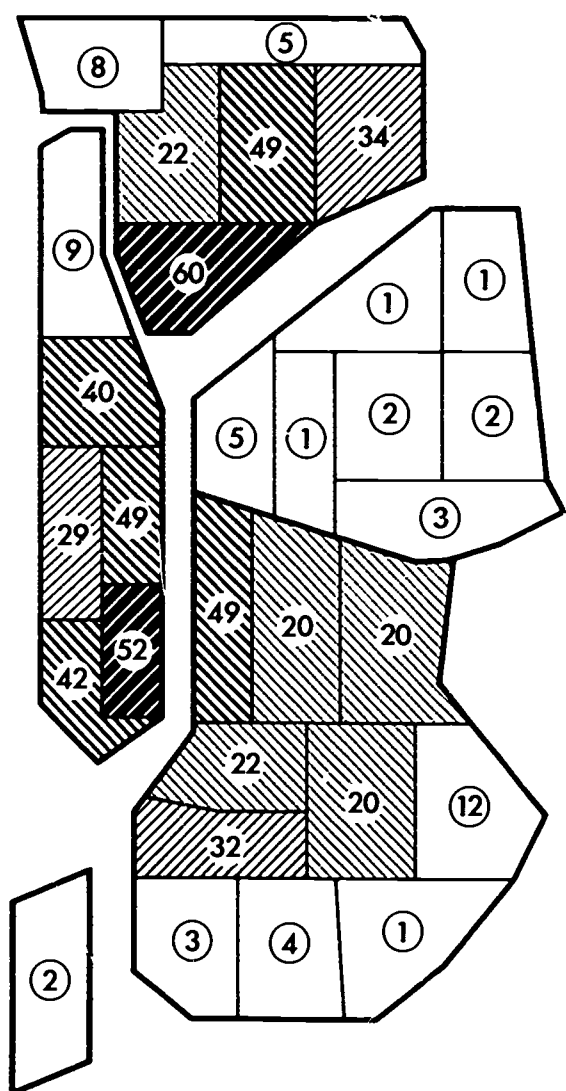
○ CIRCLED FIGURE IS ACTUAL PERCENTAGE
OF PUERTO RICAN ENROLLMENT

Map 1 Puerto Rican

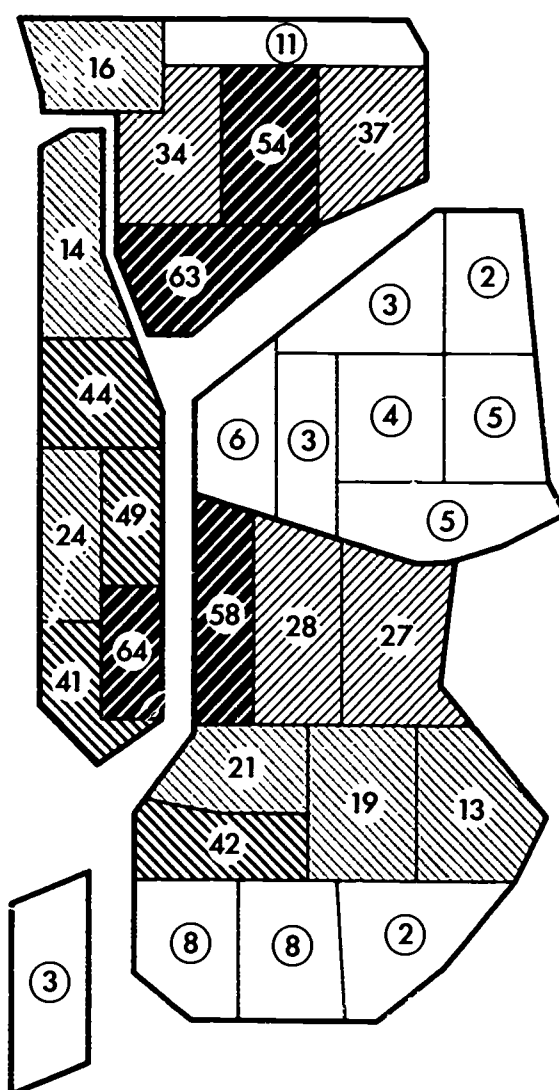


1958

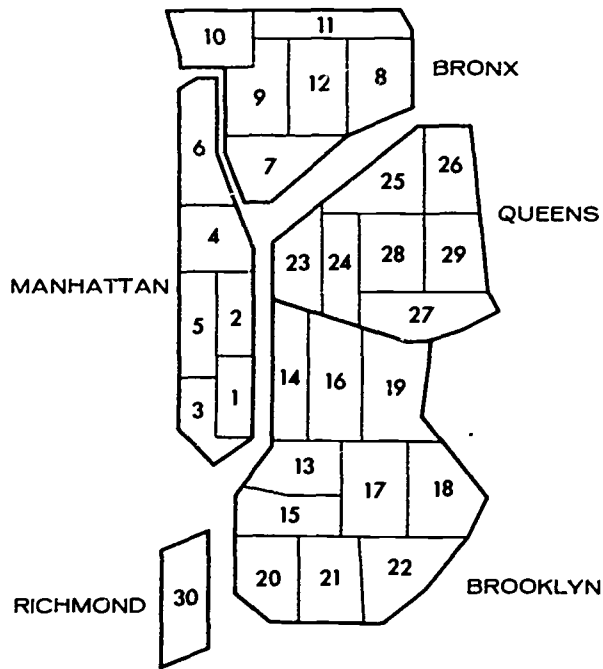
Student Enrollment



1962



1966

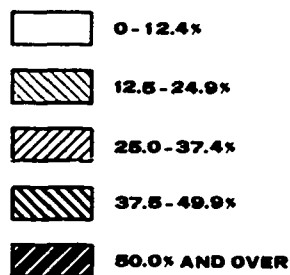


SCHOOL DISTRICTS

AREAS REPRESENT
RELATIVE SIZE OF
ENROLLMENTS - 1966

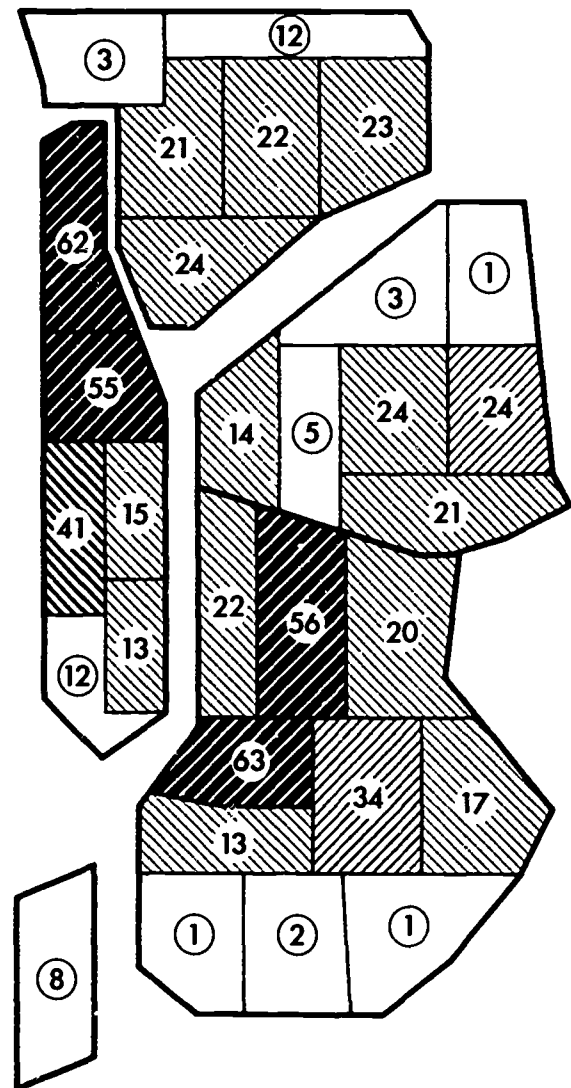
1-8 GRADE NEGRO ENROLLMENT AS PERCENT OF TOTAL LOCAL SCHOOL DISTRICT ENROLLMENT

LEGEND

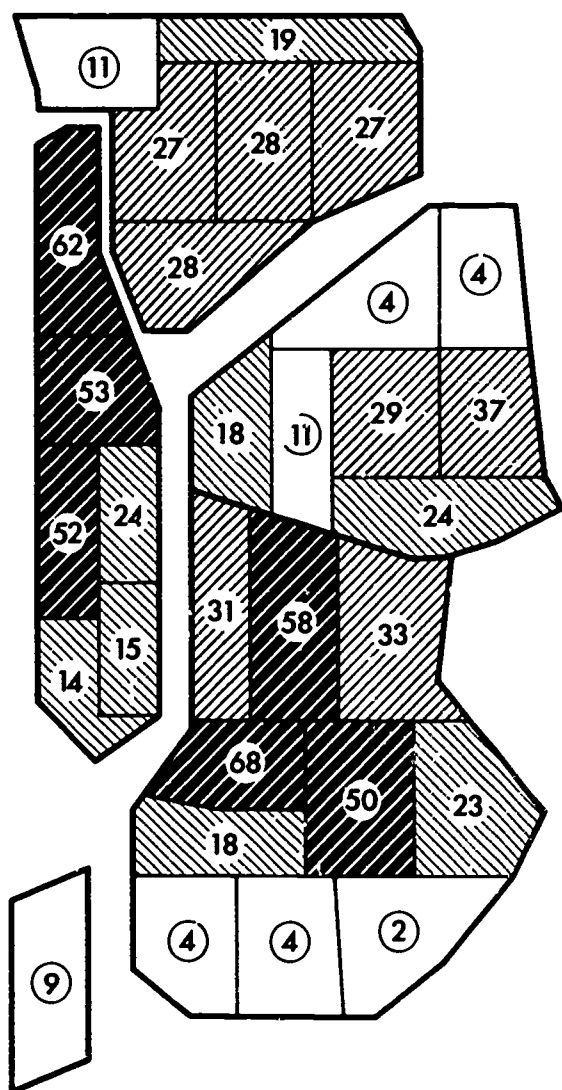


CIRCLED FIGURE IS ACTUAL PERCENTAGE
OF NEGRO ENROLLMENT

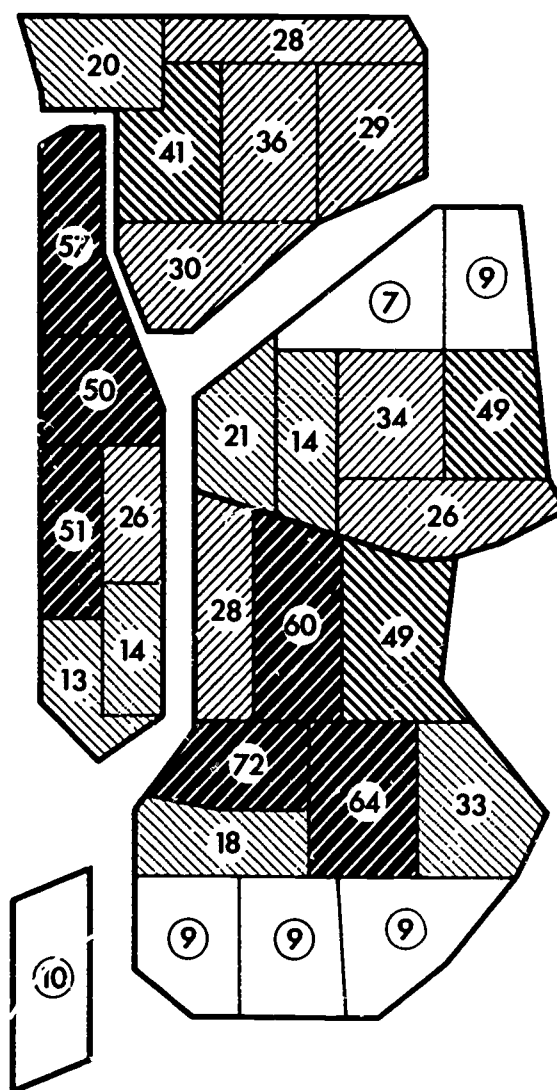
Map 2 Negro



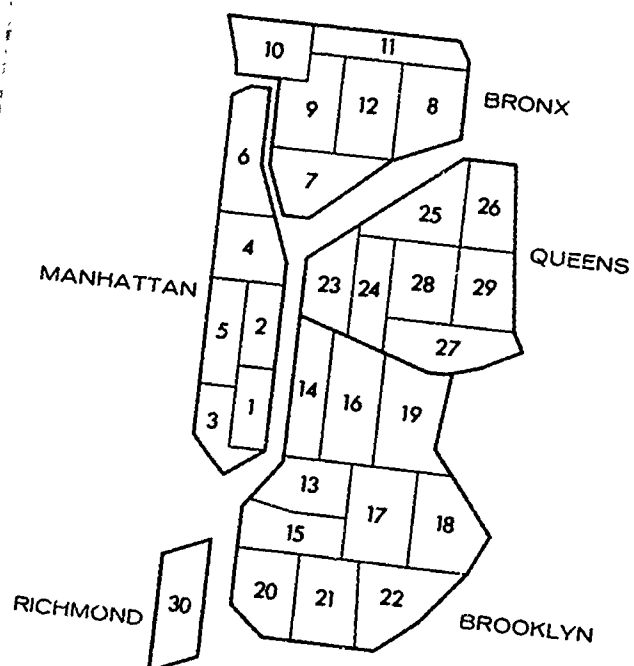
Student Enrollment



1962



1966

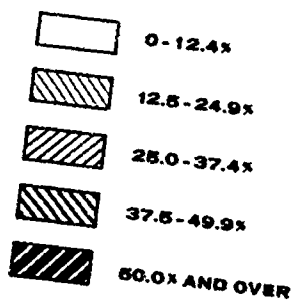


SCHOOL DISTRICTS

AREAS REPRESENT
RELATIVE SIZE OF
ENROLLMENTS - 1966

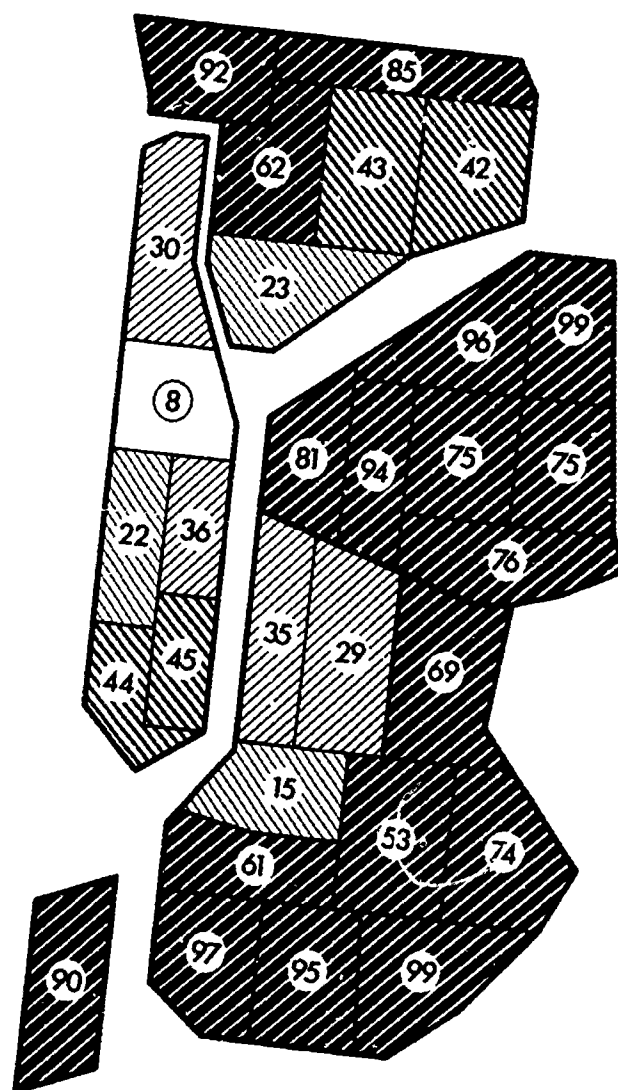
1-8 GRADE WHITE ENROLLMENT AS PERCENT OF TOTAL LOCAL SCHOOL DISTRICT ENROLLMENT

LEGEND



CIRCLED FIGURE IS ACTUAL PERCENTAGE
OF WHITE ENROLLMENT

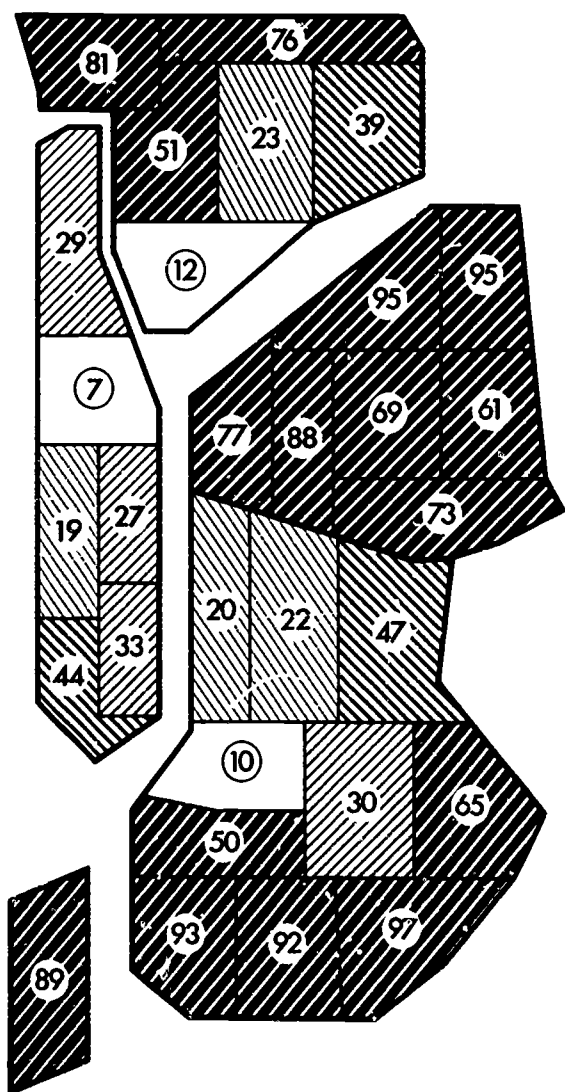
Map 3 White



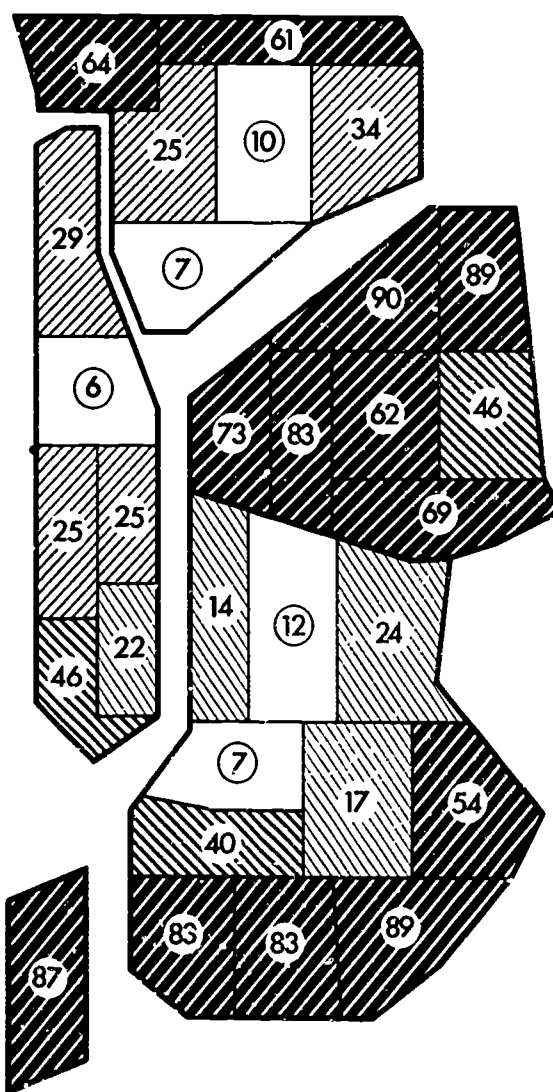
1958

SOURCE: BOARD OF EDUCATION SPECIAL SCHOOL CENSUS, OCTOBER 31, 1958, 1962, 1966.
WHITE INCLUDES ALL OTHER THAN PUERTO RICAN AND NEGRO.

Student Enrollment



1962



1966

TABLES

TABLE I

Percent of Pupils Below Grade Level Norms
Metropolitan Achievement Test
May 1966 and April 1967

	May 1966	April 1967
Grade 2	54.3	54.9
Grade 3	56.4	59.9
Grade 4	59.9	66.1
Grade 5	59.9	62.9
Grade 6	55.8	58.4
Grade 7	55.6	60.3
Grade 8	54.0	51.0
Grade 9	49.4	49.7

Data from Board of Education, Bureau of Educational Research, Summary of Citywide Tests, November 1966, 1967.

TABLE II

Distribution of Reading Achievement Scores
Metropolitan Achievement Tests
October 1966 and April 1967
Percent Reading Behind Grade Norm

GRADE	Norm	1 YR. 3 MOS.		1 YR. 6 MOS.		2 YR. 6 MOS.	
		National	NYC	National	NYC	National	NYC
5th Oct.	5.1	30	43	17	24	3	3
April	5.7	25	40	16	26	2	0
6th Oct.	6.1	25	39	16	30	5	6
April	6.7	29	42	22	35	9	14
8th Oct.	8.1	35	41	30	36	15	27
April	8.7	39	42	31	36	20	27

Sources:

(1) Technical Supplement by Harcourt, Brace & World to Metropolitan Achievement Tests, based on modal age grade norms for beginning and end of year.

(2) Board of Education, Educational Research Division, October 1966, April 1967 Metropolitan Achievement Tests.

TABLE IV

ACADEMIC DIPLOMAS GRANTED IN NONSPECIALIZED ACADEMIC HIGH SCHOOLS
WITH HIGHEST WHITE POPULATION

Borough	School	Percentage of Enrollment October 1966			January and June 1967	
		Puerto Rican	Negro	Other	Number	Percentage of Admissions
Richmond	New Dorp	2.8	0.4	96.7	198	35.5
Richmond	Tottenville	2.1	1.5	96.3	141	41.6
Kings	New Utrecht	2.7	1.6	95.6	410	33.0
Kings	Lincoln	2.6	2.7	94.5	752	52.7
Queens	Bayside	3.2	2.8	93.9	891	57.9 High
Kings	Lafayette	1.9	5.2	92.7	671	39.4
Kings	Sheepshead Bay	1.4	8.5	90.0	487	55.2
Queens	Van Buren	0.7	9.3	89.9	735	54.9
Richmond	Port Richmond	4.0	6.8	89.1	191	28.8
Queens	Bryant	3.7	8.4	87.7	309	28.7 Low

Source: Board of Education, Special School Census, October 31, 1966 and Board of Education, Office of Academic High Schools, Report on Graduates 1966-67 (AHS50)

TABLE III

PUPILS BEHIND IN READING IN NEW YORK CITY PUBLIC SCHOOLS
BASED ON APRIL 1967 READING SCORES OF METROPOLITAN ACHIEVEMENT TEST

CUMULATIVE FIGURES

GRADES	NO. OF PUPILS TESTED	4 YEARS & 3 MONTHS AND OVER		3 YEARS & 6 MONTHS AND OVER		3 YEARS & 3 MONTHS AND OVER		2 YEARS & 9 MONTHS AND OVER		2 YEARS & 6 MONTHS AND OVER		1 YEAR & 9 MONTHS AND OVER		1 YEAR & 6 MONTHS AND OVER		8 MONTHS AND OVER		3 MONTHS AND OVER	
		NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%	NO.	%
9	73504	8251	11.2	12358	16.8	15537	21.1	17276	23.5	20945	28.5	22923	31.2	27050	36.8	29252	39.8	36507	49.7
8	63936	6241	9.8	9014	14.1	12069	18.9	17297	27.1	20985	32.8	22922	35.9	26661	41.7	28616	44.8	32622	51.0
7	66255	2715	4.1	5469	8.3	11243	17.0	15789	23.8	20570	31.0	27568	41.6	31887	48.1	33986	51.3	38033	57.4
6	72621					4562	6.3	10196	14.0	17489	24.0	25235	34.7	30439	41.9	37951	52.3	42425	58.4
Sub-Total:																			
GRADES: 6-9	276316	17207	6.2	26841	9.7	43411	15.7	60558	21.9	79989	28.9	98650	35.7	116037	42.0	129805	47.0	149587	54.1
5	75910									9557	12.6	19421	25.6	30214	39.8	39709	52.3	45267	59.6
4	78948							320	0.4	2618	3.3	10052	12.7	24893	31.5	37071	47.0	47606	60.3
Sub-Total:																			
GRADES 4 & 5	154858									12175	7.9	29473	19.0	55107	35.6	76780	49.6	92873	60.0
TOTAL:																			
GRADES 4-9	431174	17207	4.0	26841	6.2	43411	10.1	60878	14.1	92164	21.4	128120	29.7	171144	39.7	206585	47.9	242460	56.2

Data from Board of Education, Bureau of Educational Research, Metropolitan Achievement Tests, Raw Data.

NOTES

PART I

1. Between 1950 and 1960, New York City lost a net of 1.2 million whites, while the white populations of suburban counties increased in large amounts. For example, 441,000 whites moved into Nassau and 90,000 moved into Westchester. In New Jersey, 147,000 whites moved to Bergen County, 105,000 moved to Middlesex, and 67,000 moved to Morris County. Regional Plan Association, *The Region's Growth*, New York, May, 1967, Table A-23, p. 141.
2. The "other" public school enrollment decreased from 650,080 in 1957 to 551,927 in 1965. Jacob Landers, *Improving Ethnic Distribution of New York City Pupils: An Analysis of Programs Approved by the Board of Education and the Superintendent of Schools*, New York, City School District of New York City, May, 1966, p. 47.
3. In 1960, the number of white school-age persons (5-19 years old) in New York City was 1,175,000. A 1965 estimate showed about 1,195,000 individuals in this category. United States Department of Commerce, Bureau of the Census, *Census of Population, 1960*; Regional Plan Association estimates and adjustments from Chester Rapkin, *The Private Rental Housing Market in New York City, 1965*, New York, The City Rent and Rehabilitation Administration, December, 1966. The predominantly white parochial and private school registers within the city stood at 427,845 in 1964-65. (The final 100,000 whites who are unaccounted for by the combined public and private school enrollments in 1965 may be assumed to be those who have graduated from high school before the age of 19, or who have dropped out, as well as those who are bussed to parochial and private schools outside the city.) Board of Education of the City of New York, Bureau of Attendance.
4. Between 1955 and 1966, the total public school enrollment increased 18.6 per cent (170,537) and that of the non-public schools 17.4 per cent (64,551). In Queens, the total public school enrollment increased 21.2 per cent (43,797), while the non-public school enrollment increased 38 per cent (31,001). In Staten Island, the increase in the public schools was 46.7 per cent (12,886) and in the non-public schools 60.7 per cent (8,822). Board of Education of the City of New York, Bureau of Attendance. (Recently, this growth in non-public school enrollment, it should be noted, is not attributable to a rise in the Roman Catholic school population in Queens. In fact, their Catholic parochial school enrollments have decreased over the last two years. Data supplied by the Rev. Franklin F. Fitzpatrick, Catholic Schools Office, Diocese of Brooklyn, October 20, 1967.)
5. Board of Education of the City of New York, *Facts & Figures-1966-1967*, New York, Office of Education Information Services and Public Relations, 1967, p. 51.
6. Bernard E. Donovan, Superintendent of Schools, City of New York, "The Role of a School System in a Changing Society," Address Delivered to Invitation Conference on "The Process of Change in Education," Lincoln Center, New York City, June 15, 1967, p. 1.
7. McKinney's 1967 Session Laws of New York, ch. 484 (1967).
8. *Ibid.*
9. *Ibid.*
10. Marilyn Gittell, T. Edward Hollander, William S. Vincent, *Investigation of Fiscally Independent and Dependent City School Districts*, Cooperative Research Project No. 3,237, New York, The City University Research Foundation with Subcontract to Teachers College, Columbia University, 1967, Appendix A, Table V, p. 220; *Facts & Figures-1966-1967*, op. cit., p. 1.
11. Gittell, et. al. op. cit., Appendix A, Table XVIII, p. 233.
12. *Facts & Figures-1966-1967*, op. cit., pp. 6, 51.
13. Gittell, et. al., op. cit. Appendix A, Table XI, p. 226. Additional data provided by National Education Association, Research Department, October 18, 1967.
14. Gittell, et. al., op. cit., Appendix A, Table XIII, p. 228.
15. *Ibid.*, Appendix A, Table XIV, p. 229.
16. Regents Examination and Scholarship Center, Division of Educational Testing, *Test Results of the 1965 Pupil Evaluation Program in New York State*, January, 1967.
17. *New York Times*, November 2, 1967, p. 50.
18. Data provided by Regents Examination and Scholarship Center, Division of Educational Testing, Pupil Evaluation Program, August, 1967.
19. Board of Education of the City of New York, Office of Academic High Schools, *Report on Graduates*, (AHS 50), January and June, 1967.
20. Data provided by U.S. Department of Health, Education and Welfare, Office of Education, *Biennial Survey of Education in the United States*.
21. Board of Education, Office of Academic High Schools, op. cit.
22. Board of Education, *Utilization of School Buildings 1966-67*, Prepared under the direction of Bernard E. Donovan, Superintendent of Schools, School Planning and Research Division, October 31, 1966.
23. ASPIRA, et al, *Preserving the Right to an Education for all Children: Recommendations to the New York City Board of Education Regarding School Suspensions*, April 5, 1967 (developed by ASPIRA, Inc., Citizens' Committee for Children of New York, Inc., Congress of Racial Equality, Inc., Congress of Racial Equality, Inc. - Brooklyn Chapter, EQUAL, HARYOU-Act, Inc., Massive Economic Neighborhood Development, Inc., Mobilization for Youth, Inc., New York Civil Liberties Union, Public Education Association, Puerto Rican Association for Community Affairs, Inc., United Neighborhood Houses of New York, Inc., United Parents Association, Urban League of Greater New York).
24. Data provided by Board of Education of the City of New York, Bureau of Personnel.
25. Board of Education of the City of New York, Bureau of Educational Program Research and Statistics, *School Experience Index, Teachers with More Than Five Years Teaching Experience in Elementary and Junior High Schools, School Year 1966-67*, Report prepared by Madeline Morrissey.
26. *Ibid.*
27. United Federation of Teachers, *United Teacher*, November, 1966.
28. Steven V. Roberts, "Is It Too Late For a Man of Honesty, High Purpose and Intelligence to be Elected President of the United States in 1968," *Esquire*, October, 1967, p. 181.
29. Bernard E. Donovan, address, op. cit.

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30. Facts & Figures-1966-1967, op. cit., p. 72.
31. McKinney's 1961 Session Laws of New York, ch. 971 (1961).
32. Facts & Figures-1966-1967, op. cit., p. 72.
33. Ibid., pp. 68-69.
34. Board of Education, City School District of the City of New York, Decentralization; Statement of Policy, April 19, 1967, p. 1.
35. The questionnaire was sent to 883 principals during the last week of the school term in June, when they were particularly preoccupied.
36. John W. Polley, "Decentralization Within Urban School Systems," in Education in Urban Society, edited by B. J. Chandler, Lindley J. Stiles and John I. Kitsuse, New York, Dodd, Mead & Co., 1962, pp. 122, 123.
37. Decentralization is not new to the New York City Schools. The components of what is now the city had entirely separate school systems before 1898, in an era when the population was a fraction of the present size and the economic and social characteristics of American society were radically different than today's. Ever since the city assumed its present geographical shape under the Charter of 1897, there have been local school boards-as few as four and as many as fifty-four. However, effective decision-making power has been increasingly centralized since 1901, and the charter revision of 1917 stripped local boards of all but minor duties. The State Education Department, Historical Review of Studies and Proposals Relative to Decentralization of Administration in the New York City Public School System, The University of the State of New York, the State Education Department, Bureau of School and Cultural Research, June, 1967. Until reorganization under a 1961 Legislative Act, boards appointed by borough presidents functioned in fifty-four districts, but they were ineffective either as local centers for discussion of important school matters or as a link to the central Board of Education. By and large, they were isolated from parents and parent organizations. Some boards were altogether inactive, others had many inactive members, attendance at board meetings was erratic, and in some cases vacancies went unfilled for a period of years. Women's City Club of New York, Strengthen or Abolish? A Study of Local School Boards in New York City, New York, Women's City Club of New York, March, 1960.
38. McKinney's 1961 Session Laws of New York, ch. 971 (1961).
39. Fred Hechinger, New York Times, May 14, 1965, p. 1.
40. One, which exists on paper only, awaits the further growth of population in Staten Island.
41. McKinney's 1961 Session Laws of New York, ch. 971 (1961).
42. Decentralization; Statement of Policy, April 19, 1967, op. cit.
43. Data provided by the Director, Division of Maintenance and Operation, Office of School Buildings, Board of Education of the City of New York, August 22, 1967.
44. New York Times, October 20, 1967.
45. Decentralization; Statement of Policy, April 19, 1967, op. cit., p. 5.
46. Bernard E. Donovan, Superintendent of Schools, Decentralization Demonstration Projects, Proposal submitted to the Board of Education, April 12, 1967, p. 1.
47. Local School Boards, Committee on Decentralization, J. Robert Pigott, Chairman, Proposal, New York, August 4, 1967.
48. Martin Mayer, "What's Wrong With Our Big-City Schools," Saturday Evening Post, September 9, 1967, pp. 21, 22.
49. Public Education Association, Statement of the Public Education Association on the Decentralization of Authority and Responsibility in the New York City School System, presented by Mrs. J. Lawrence Pool, Vice-President, March 8, 1967, pp. 2, 4.
50. United Parents Associations of New York City, Inc., Statement by Mrs. Florence Flost, President of The United Parents Associations Before the Board of Education in Regard to Draft Proposal on Decentralization, March 7, 1967, p. 1.
51. Women's City Club of New York, Inc. Statement of the Women's City Club on Proposals for Decentralization Before the Board of Education Hearing, presented by Mrs. Alexander A. Katz, Chairman, Education Committee, March 7, 1967, p. 1.
52. For a thorough discussion of union organization among teachers see Myron Lieberman and Michael H. Moskowitz, Collective Negotiations for Teachers; An Approach to School Administration, Chicago, Rand McNally & Company, 1966.
53. McKinney's 1967 Session Laws of New York, ch. 484 (1967).
54. James S. Coleman and others, Equality of Educational Opportunity, Washington, D.C., United States Department of Health, Education and Welfare, Office of Education, 1966, p. 325, and Summary Report, p. 22.
55. See Harlem Youth Opportunities Unlimited, Inc., Youth in the Ghetto; A Study of the Consequences of Powerlessness and a Blueprint for Change, New York, Century Printing Co., Inc., 1964; Marilyn Gittell, ed., Educating an Urban Population, Beverly Hills, California, Sage Publications, Inc., 1967; Kenneth Keniston, The Uncommitted; Alienated Youth in American Society, New York, Harcourt, Brace & World, Inc., 1960; David Riesman, The Lonely Crowd, New Haven, Yale University, 1950.
56. "An Intensive Program for the Attainment of Educational Achievement in Deprived Area Schools of New York City," April 20, 1967, p. 25. This document was developed by a group of New York City educational experts under the leadership of Dr. Kenneth Clark.
57. Gittell, et. al., op. cit., p. 212.
58. Ibid., p. 208.
59. James Bryant Conant, Slums and Suburbs: A Commentary on Schools in Metropolitan Areas, New York, McGraw-Hill, 1961, p. 69.
60. Statement of School Principal, September 26, 1967. Meeting of Panel with Council of Supervisory Associations.

PART II

1. McKinney's 1967 Session Laws of New York, ch. 484 (1967).
2. Data provided by New York State Department of Education. State school districts figure as of September 1, 1967.
3. From 1932 to 1965-66 the number of school districts in the United States was reduced from 127,649 to 26,802. The overwhelming majority have fewer than 10,000 pupils. In 1964, 63 per cent of all operating districts in the nation still enrolled fewer than 600 pupils. National Committee for Support of the Public Schools, Fact Sheet-Know Your Schools, Washington, D.C., National Committee for Support of the Public Schools, June, 1967, No. 9, Tables I and II.

4. *Ibid.*
5. A. Harry Passow. *Summary of Findings and Recommendations of A Study of the Washington, D.C. Schools*, New York, Teachers College, Columbia University, September, 1967, p. 10.
6. National Education Association, *Selected Statistics of Local School Systems, 1964-65*, Washington, D.C., Research Division, National Education Association, September, 1966. Adjusted by the Research Department, National Education Association, October 19, 1967.
7. Leonard Buder, "A Community Wants In," *The New York Times*, September 4, 1966.
8. Data provided by Educational Research Service Circular (in preparation), Research Divisions, American Association of School Administrators and National Education Association.
9. Citizens for Education, *Report of Vote*, May 9, 1966, Detroit, 1966; Citizens for Schools, *Report of Vote*, November, 1963, Detroit, 1966; Liaison Office for K.I.D.S. Organization and Detroit Public Schools, *Report of Vote*, November 8, 1966, Detroit, 1967.
10. Marilyn Gittell, T. Edward Hollander, and William S. Vincent, *Investigation of Fiscally Independent and Dependent City School Districts*, Cooperative Research Project No. 3,237, New York, The City University Research Foundation with Subcontract to Teachers College, Columbia University, 1967.
11. Board of Education of the City of New York, "Special Census of School Population, Composition of Register, City-Wide by School Group," October 31, 1966.
12. *Ibid.*
13. Board of Education of the City of New York, *Facts and Figures-1966-1967*, New York, Office of Education Information Services and Public Relations, 1967, pp. 51, 55.
14. Health services, except for curriculum in health education are provided by the Health Department. Each district has a liaison officer.
15. Daniel E. Griffiths, et. al., *Teacher Mobility in New York City: A Study of the Recruitment, Selection, Appointment, and Promotion of Teachers in the New York City Public Schools*, New York, New York University, School of Education, Center for School Services and Off-Campus Courses, 1963, pp. 109-110.
16. Terry Berl, Speech Delivered at P.S. 84 Parents' Association Meeting on October 25, 1967, p. 6.
17. Myron Lieberman, *Education as a Profession*, New York, Prentice-Hall, Inc., 1956, pp. 508-509.
18. Terry Berl, *op. cit.*
19. "Special Census of School Population, Composition of Register, City-Wide by School Group", *op. cit.*; Board of Education of the City of New York, organizational chart, "Office of Special Education and Pupil Personnel Services," September, 1966.
20. The analogy is warranted at least in terms of size, since the New York City school system has about the same number of pupils as the State of Massachusetts and more than 38 other states, National Education Association, *Rankings of the States*, Research Report 1967-R1, Washington, D.C., Research Division, National Education Association, 1967.
21. Education Law of New York State, Section 310, p. 166.
22. *Ibid.*, p. 169.
23. Board of Education of the City School District of the City of New York, *Summaries and Details of Recommendations Submitted by the Superintendent of Schools: Budget Estimate for 1967-1968*, New York Office of Business Affairs, December 12, 1966.

PART III

1. Board of Education of the City of New York, *Facts & Figures-1966-1967*, New York, Office of Education Information Services and Public Relations, 1967, pp. 51, 67-68.
2. United Federation of Teachers, *United Teacher*, November, 1966, p. 3.
3. Board of Education of the City of New York, "Special Census of School Population, Composition of Register, City-Wide by School Group," Table I, October 31, 1966.
4. Board of Education of the City of New York, *The Ethnic Composition of the Professional Staff of the New York City Public Schools as of February 1966*, New York, Board of Education, July, 1966, pp. 1-2.
5. The Board maintains no records on Puerto Rican staff. These figures are estimates regarded as accurate by leaders of key Puerto Rican educational organizations.
6. *The Ethnic Composition of the Professional Staff of the New York City Public School as of February 1966*, *op. cit.*, p. 1.
7. Daniel E. Griffiths, et. al., *Teacher Mobility in New York City: A Study of Recruitment, Selection, Appointment, and Promotion of Teachers in the New York City Public Schools*, New York, New York University, School of Education, Center for School Services and Off-Campus Courses, 1963, p. 69 and *passim*.
8. According to the Deputy Superintendent for Personnel, Board of Education of the City of New York, this figure is somewhat misleading as it represents only those teachers who are actually refused tenure. He indicates that this number increases - to perhaps 100 per year - when all those who resign in the course of the probationary period are taken into account.
9. One member of the Board of Examiners reports knowing of only one principal to have been refused tenure within the past 20 years. Data provided by the Deputy Superintendent for Personnel, Board of Education of the City of New York.
10. Myron Lieberman and Michael H. Moskow, *Collective Negotiations for Teachers: An Approach to School Administration*, Chicago, Rand McNally and Company, 1966, p. 41.
11. Data provided by the United Federation of Teachers, October 25, 1967.
12. Center for Field Research and School Services, *A Report of Recommendations on the Recruitment, Selection, Appointment, and Promotion of Teachers in the New York City Public Schools*, New York, New York University, 1966, p. 2.
13. Martin Mayer, "Close to Midnight," *The New York Times*, May 2, 1965.
14. A bachelor's degree plus 30 semester hours are required according to State regulations. The State Education Department, Amendment to Regulations of the Commissioner of Education, Pursuant to Section 207 of the Education Law, Albany, The University of the State of New York, September 1, 1963, Section 133, p. 1.
15. In addition to above differences, substitutes are distinguished from regulars in that they do not acquire tenure, pension rights, or salary increases after the sixth year of service. The Board has announced its intention to phase out this category, which now accounts for 33 per cent of all teachers.
16. The substitute examination is generally in two parts: a written test in which one is required only to demonstrate his ability to write clear and grammatical English and an oral test that stresses ability to deal with the classroom situation, educational methods, etc., but may also involve subject matter questions.

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17. The Board of Education does not maintain data on numbers of teachers teaching out of license, but the practice is generally considered to be widespread.
18. George Strayer and Louis Yavner, *Administrative Management of the School System of New York City*, New York, Mayor's Committee on Management Survey, October, 1951, Volume II, pp. 766-767.
19. Alfred A. Giardino, *Report and Recommendations of the Board of Examiners and its Relations with the Superintendent of Schools*, New York, Board of Education, City School District of the City of New York, January 31, 1967, p. 1.
20. *Ibid.*, p. 2.
21. Center for Field Research and School Services, *op. cit.*, p. 2.
22. There are, of course, substitute teachers who meet course requirements and who have foiled the regular examination.
23. Data on this point are not maintained by the Board of Education, but the study of New York University, Center for Field Research and School Services, *op. cit.*, suggests that the number of those entering the system without previous practice teaching ranges from 14 per cent to 45 per cent.
24. Board of Education of the City of New York, *Staffing our Schools Today and Tomorrow; A Report of the Board of Superintendents and the Board of Examiners*, New York, Board of Education, 1961, p. 27.
25. Griffiths, et al., *op. cit.*, p. 69.
26. Agreement Between the Board of Education of the City of New York and United Federation of Teachers, Local 2, American Federation of Teachers, AFL-CIO Covering Classroom Teachers and Per Session Teachers, New York, United Federation of Teachers, 1965, pp. 15-16.
27. New York City teachers may retire at age 55 after 25 years of service. *Facts & Figures - 1966-1967*, *op. cit.*, p. 10.
28. Further, they tend to discriminate against New Yorkers from minority groups. Because of their relatively recent entry into the school system in significant numbers, and because of the nature of the examinations, Negro and Puerto Rican teachers have not entered the administrative ranks in proportion to their number in the system. Prior to the most recent assistant principal's examination, Negroes and Puerto Ricans accounted for only about 2 per cent of the eligible list for assistant principal. To help Negro and Puerto Rican teachers pass the examination, the Board of Education conducted a special preparatory course (February, 1964-September, 1965). As a result, 17 per cent of the 784 candidates who passed were Negroes and Puerto Ricans (134 Negroes and only one Puerto Rican).
29. Griffiths, et al., *op. cit.*, p. 65.
30. For example, Strayer-Yavner, *op. cit.*, and Center for Field Research and School Services, *op. cit.*
31. They are assigned according to (1) the borough in which the teacher resides, whenever possible; (2) need in a school for a teacher in subject areas; (3) need for a regularly licensed teacher - as determined by a ratio of regularly licensed to substitute teachers in a school; and (4) when stated, mutual preference by teacher and school principal in a school where needs outlined in (2) and (3) are present.
32. Information was provided by the administrators of the respective districts.
33. Teachers may refuse-with cause-three appointments.
34. Neal Gross and Robert Herriott, "The Educational Leadership of Principals: Myths and Realities," *Harvard Graduate School of Education Association Bulletin*, Spring, 1965, p. 4.
35. *Ibid.*, p. 6.
36. Giardino, *op. cit.*, pp. 3-4.

PART IV

1. Temporary Commission on City Finances, *City of New York, Governing the Public Schools; Educational Decision-Making and its Financial Implications in New York City*, Staff Paper 9, August, 1966, pp. 12-13.
2. The seven major programs are: (1) Board of Education; (2) Superintendent of Schools; (3) Personnel; (4) Curriculum and Research; (5) Instruction; (6) Design, Construction and Physical Plant; and (7) Business Affairs.
3. Board of Education of the City of New York, *Facts & Figures-1966-1967*, New York, Office of Education Information Services and Public Relations, 1967, p. 73.
4. Temporary Commission on City Finances, *op. cit.*, pp. 14-15.
5. Martin Mayer, "What's Wrong With Our Big-City Schools," *Saturday Evening Post*, September 9, 1967, p. 22.
6. Board of Education, City School District of the City of New York, *Decentralization; Statement of Policy*, April 19, 1967, pp. 3-4.
7. Data provided by the Director, Division of Maintenance and Operation, Office of School Buildings, Board of Education of the City of New York, August 22, 1967.
8. *Decentralization; Statement of Policy*, April 19, 1967, *op. cit.*, p. 4.
9. For example, special service schools have a reduced pupil-teacher ratio. Board of Education of the City School District of the City of New York, *Summaries and Details of Recommendations Submitted by the Superintendent of Schools; Budget Estimate for 1967-1968*, New York, Office of Business Affairs, December 12, 1966, p. 73.
10. Public Law 874, U.S.C. Section 236 (1950).
11. Elementary and Secondary Education Act of 1965, 20 U.S.C. Section 241a (1965).
12. In New York State "equalization correction factors" are related to a concept of extra need resulting from extremely low or high population density. Educational Research Services, Inc., *A Summary Report on an Analysis of New York School Aid Correction*, White Plains, N.Y., Educational Research Services, Inc., December, 1966, Chapter II. This study was prepared for the University of the State of New York, the State Education Department.
13. New York City Council Against Poverty, *Program Goals and Guidelines for Proposal Submission for Program Year 1967-8*, New York, Community Development Agency, Office of Program Planning and Budget Review, March 22, 1967, p. 11.
14. Educational Research Services, Inc., *op. cit.*, Chapters III-IV.
15. A similar system was proposed in the Report of the Senate Fact Finding Committee on Revenue and Taxation, *State and Local Fiscal Relationships in Public Education in California*, Senate of the State of California, March, 1965, p. 12.
16. Board of Education of the City of New York, Office of Elementary Schools, "Procedures and Criteria for Classifying Special Service Elementary Schools," September, 1966.

17. Data provided by the Director, Division of Maintenance and Operation, Office of School Buildings, Board of Education of the City of New York, August 22, 1967.
18. Elementary and Secondary Education Act of 1965, op. cit.
19. E.g., for expenses for the school year 1971-72, budget formulation under decentralization will begin in the spring of 1970. The census data available then will be based on 1969-70 school enrollment.
20. Data provided by the United Federation of Teachers.
21. Data provided by the Deputy Superintendent for Business and Administration, Board of Education of the City of New York, August 10, 1967.
22. Estimate made by the Department of City Planning of the City of New York, September, 1967.
23. There are five members: (1) Director of the Bureau of the Budget; (2) Comptroller; (3) Chairman of the City Planning Commission; (4) Commissioner of the Department of Real Estate; and (5) the Borough President concerned.
14. Thomas H. Eliot, "Toward an Understanding of Public School Politics," *The American Political Science Review*, December, 1959, pp. 1032-51.
15. *Ibid.*
16. Marilyn Gittell, *Participants and Participation: A Study of School Policy in New York City*, New York, Center for Urban Education, 1967, p. 50.
17. David W. Minar, "The Politics of Education in Large Cities," in *Educating an Urban Population*, edited by Marilyn Gittell, Beverly Hills, Calif., Sage Publications, Inc., 1967, p. 319.
18. Bernard E. Donovan, Superintendent of Schools, City of New York, "The Role of a School System in a Changing Society," Address Delivered to Invitation Conference on "The Process of Change in Education," Lincoln Center, New York City, June 15, 1967, p. 3.
19. United States Commission on Civil Rights, *Racial Isolation in the Public Schools*, Washington, D.C., U.S. Government Printing Office, 1967, Volume I, p. 193.
20. Memorandum from James E. Allen, Jr., Commissioner of Education, to all Chief Local School Administrators and Presidents of Boards of Education, "Racial Imbalance in the Schools," June 14, 1963, p. 2.
21. Resolution of the Board of Education of the City of New York, December 23, 1954.
22. James S. Coleman, et al., *Equality of Educational Opportunity*, Washington, D.C., U.S. Department of Health, Education, and Welfare, Office of Education, 1966.
23. "Pupils Gain Cited with Integration," *The New York Times*, October 18, 1967.
24. Jacob Landers, *Improving Ethnic Distribution of New York City Pupils: An Analysis of Programs Approved by the Board of Education and the Superintendent of Schools*, New York, City School District of New York City, May, 1966, pp. 21-22.
25. Data provided by Anna Stein, Educational Consultant, October, 1967.
26. Landers, op. cit., p. 23.
27. *Ibid.*, pp. 24-28.
28. *Ibid.*
29. *Ibid.*, pp. 36-39.
30. Data provided by the Central Zoning Unit of the Board of Education of the City of New York, October, 1967.
31. *Ibid.*
32. *Ibid.*
33. Board of Education of the City of New York, Bureau of Educational Program Research and Statistics, "Report on School Population: Composition of Register As of October 31, 1966," New York, Bureau of Management Information and Data Processing.
34. Leonard Buder, "Segregation Up in Schools Here," *The New York Times*, June 16, 1966, from a report of the Board of Education of the City of New York.
35. Board of Education of the City of New York, Press Release, January 29, 1964; and Landers, op. cit., pp. 29-31.
36. Advisory Committee on Human Relations and Community Tensions, *Desegregating the Public Schools of New York City*, Albany: State Education Commission, May 12, 1964, p. 8. A Report for the Board of Education of the City of New York.
37. Landers, op. cit., p. 44.
38. Board of Education of the City of New York, Bureau of Educational Program Research and Statistics, *Special Census of School Population*, October 31, 1966, Summary of Tables, Publication No. 786, February 1967.

PART V

1. For example, see Robert and Helen Lynd, *Middletown*, New York, Harcourt, Brace, 1929; Robert and Helen Lynd, *Middletown in Transition*, New York, Harcourt, Brace, 1937; W. Lloyd Warner and associates, *Democracy in Jonesville*, New York, Harper, 1949; and Charles Wright Mills, *The Power Elite*, New York, Oxford University Press, 1965.
2. Robert E. Lane, *Political Life: Why and How People Get Involved in Politics*, New York, The Free Press, 1959, p. 261.
3. Harvey S. Perloff and Royce Hanson, "The Inner City and New Urban Politics," in *Urban America: Goals and Problems*, Washington, D.C., Joint Economic Committee, U.S. Congress, August 1967, pp. 162-169.
4. Preston Wilcox, "The Controversy Over I.S. 201: One View and a Proposal," *Urban Review*, July, 1966.
5. Lane, op. cit., p. 259.
6. Elementary and Secondary Education Act of 1965, 20 U.S.C. Section 241a (1965); see also, id. Titles I and III.
7. Marilyn Gittel, T. Edward Hollander and William S. Vincent, *Investigation of Fiscally Independent and Dependent City School Districts*, Cooperative Research Project No. 3,237, New York, The City University Research Foundation with Subcontract to Teachers College, Columbia University, 1967; Robert Dahl, *Who Governs?*, New Haven, Yale University Press, 1961; and Joseph Pois, *The School Board Crisis*, Chicago, Educational Methods, Inc., 1964.
8. June, 1967, data provided by Council of Chief State School Officers.
9. George S. Counts, *School and Society in Chicago*, New York, Harcourt Brace, 1928, pp. 353-354.
10. Nelson B. Henry and Jerome G. Kerwin, *Schools and City Government*, Chicago, The University of Chicago Press, 1938, p. 65.
11. *Ibid.*, p. 66.
12. *Ibid.*, passim.
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APPENDIX A

1. Two works which view the school system in the overall context of the entire city are George Strayer and Louis Yavner, *Administrative Management of the School System of New York City*, New York, Mayor's Committee on Management Survey, October, 1951, two volumes; and Wallace Sayre and Herbert Kaufman, *Governing New York City*, New York, Russell Sage Foundation, 1960.
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